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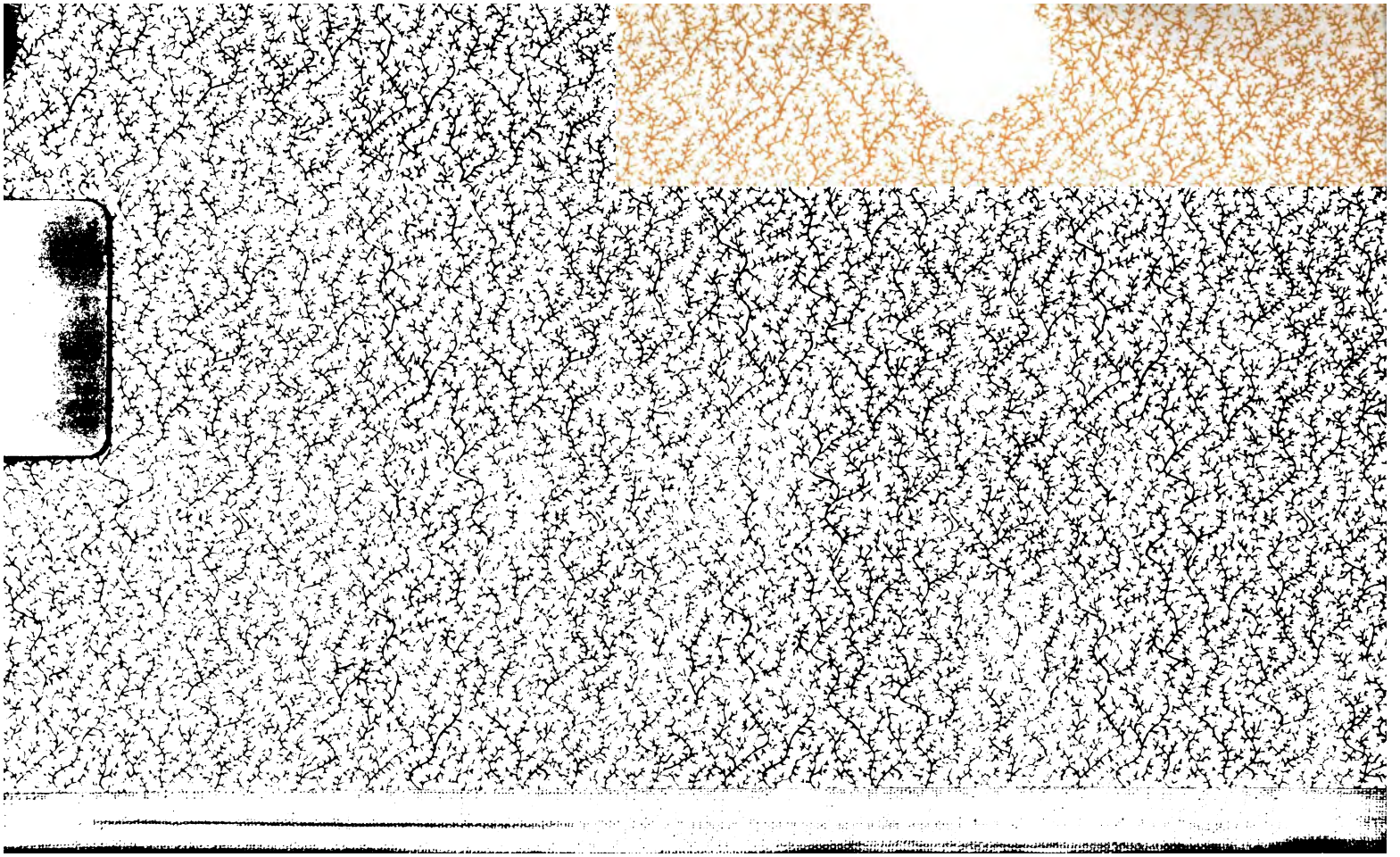

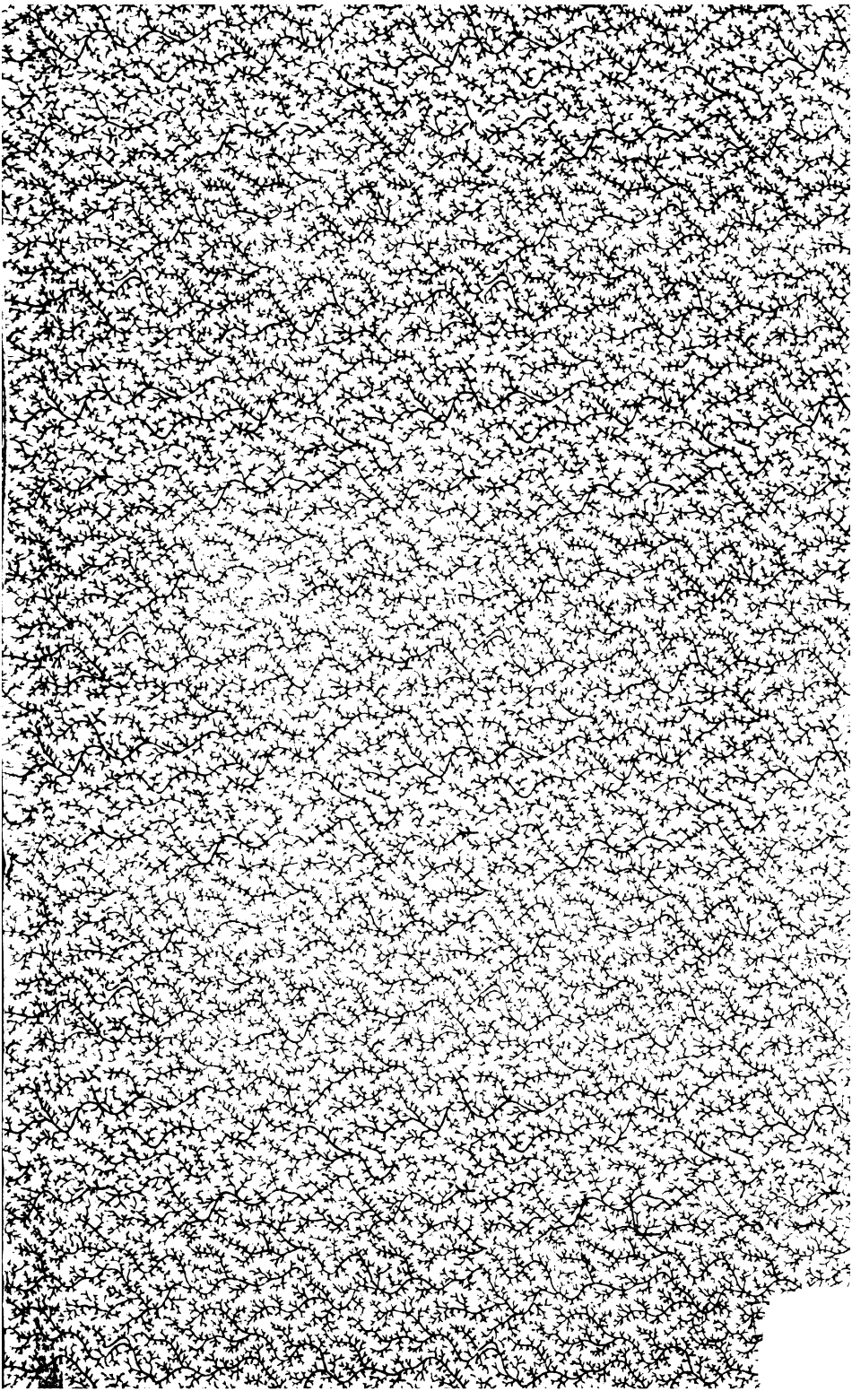

A

HISTORY OF ENGLAND,

FROM THE FIRST

INVASION BY THE ROMANS.

BY JOHN LINGARD, D. D.

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HISTORY

OF

ENGLAND.

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THE COMMONWEALTH.

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When the two houses first placed themselves in opposition to the sovereign, their demands were limited to the redress of existing grievances: now that the struggle was over, the triumphant party refused to be content with any thing less than the abolition of the old, and the establishment of a new and more popular form of government. Some indeed, still ventured to raise their voices in favour of monarchy, on the plea that it was an institution the most congenial to the habits and feelings of Englishmen. By these it was proposed that the two elder sons of Charles should be passed by, because their notions were already formed, and their resentments already kindled; that the young duke of Gloucester, or his sister Elizabeth, should be placed on the throne; and that, under the infant sovereign, the royal prerogative should be circumscribed by law, so as to secure from future encroachment the just liberties of the people. But the majority warmly contended for the establishment of a commonwealth. Why, they asked, should they spontaneous- 1649.

ly set up again the idol, which it had cost them so much blood and treasure to pull down? Laws would prove but feeble restraints on the passions of a proud and powerful monarch. If they sought an insuperable barrier to the restoration of despotism, it could be found only in some of those institutions which lodge the supreme power with the representatives of the people. That they spoke their real sentiments is not improbable; though we are assured by one who was present at their meetings, that personal interest had no small influence in their final determination. They had sinned too deeply against royalty to trust themselves to the mercy or the moderation of a king. A republic was their choice, because it promised to shelter them from the vengeance of their enemies, and offered them the additional advantage of sharing among themselves all the power, the patronage, and the emoluments of office.*

Abolition of the monarchy, Jan. 30, 1649.

In accordance with this decision, the moment the head of the royal victim fell on the scaffold at Whitehall, a proclamation was read in Cheapside, declaring it treason to give to any person the title of king without the authority of parliament; and at the same time was published the vote of the 4th of January, that the supreme authority in the nation resided in the representatives of the people. The peers, though aware of their approaching fate, continued to sit; but,

Feb. 6. after a pause of a few days, the commons resolved;

Feb. 7. first, that the house of lords, and next, that the office of king, ought to be abolished. These votes, though the acts to be engrafted on them were postponed, proved sufficient: from that hour kingship, (the word by which the royal dignity was now designated) with the legislative and judicial authority of the peers, was considered as extinct, and the lower house, under the name of the parliament of England, concentrated within itself all the powers of government.†

Appointment of a council of state.

The next measure was the appointment by the commons of a council of state, to consist of forty-one members, with powers limited in duration to twelve months. They were charged with the preservation of domestic tranquillity, the care and disposal of the military and naval force, the superintendance of internal and

* Whitelock, 391.

† Journals, 1649, Jan. 30; Feb. 6, 7. Cromwell voted in favour of the house of lords. (Ludlow, i. 246.) Could he be sincere? I think not.

external trade, and the negotiation of treaties with foreign powers. Of the persons selected for this office, three-fourths possessed seats in the house; and they reckoned among them the heads of the law, the chief officers in the army, and five peers, the earls of Denbigh, Mulgrave, Pembroke, and Salisbury, with the lord Grey of Werke, who condescended to accept the appointment, either through attachment to the cause, or as a compensation for the loss of their hereditary rights.* But at the very outset a schism appeared among the new counsellors. The oath required of them by the parliament contained an approval of the king's trial, of the vote against the Scots and their English associates, and of the abolition of monarchy, and of the house of lords. By Cromwell and eighteen others, it was taken cheerfully, and without comment: by the remaining twenty-two, Feb. 17 with Fairfax at their head, it was firmly, but respectfully refused. The peers alleged that it stood not with their honour to approve upon oath of that which had been done in opposition to their vote; the commoners, that it was not for them to pronounce an opinion on judicial proceedings, of which they had no official information. But their doubts respecting transactions that were past, formed no objection to the authority of the existing government. The house of commons was in actual possession of the supreme power. From that house they derived protection; to it they owed obedience, and with it they were ready to live and die. Cromwell and his friends had the wisdom to yield: the retrospective clauses were expunged, and in their place was Feb. 22. substituted a general promise of adhesion to the parliament, both with respect to the existing form of public liberty, and the future government of the nation, "by way of a republic without king or house of peers."†

This important revolution drew with it several other alterations. A representation of the house of commons superseded the royal effigy on the great seal, which was intrusted to three lords commissioners, Lysle, Keble, and Whitelock; the writs no longer ran in the name of the king, but of "the keepers of the liberty of England by authority of parliament;" new commissions were issued to Other changes.

* The earl of Pembroke had the meanness to solicit and accept the place of representative for Berkshire; and his example was imitated by two other peers, the earl of Salisbury and lord Howard of Escrick, who sat for Lynn and Carlisle. Journals, Ap. 16; May 5; Sep. 18. Leicester's Journal, 72.

† Journ. Feb. 7. 13, 14, 15, 19. Whitelock, 378. 382. 3. The amended oath is in Walker, part ii. 130.

the judges, sheriffs, and magistrates; and in lieu of the oaths of allegiance and supremacy was required an engagement to be true to the commonwealth of England. Of the judges, six resigned: the other six consented to retain their situations, if parliament would issue a proclamation declaratory of its intention to maintain the fundamental laws of the kingdom. The condition was accepted and fulfilled;* the courts proceeded to hear and determine causes after the ancient manner; and the great body of the people scarcely felt the important change which had been made in the government of the country. For several years past the supreme authority had been administered in the name of the king by the two houses at Westminster, with the aid of the committee at Derby-house: now the same authority was equally administered in the name of the people by one house only, and with the advice of a council of state.

Attempt to fill up the house.

The merit or demerit of thus erecting a commonwealth on the ruins of the monarchy chiefly belongs to Cromwell, Ireton, Bradshaw, and Marten, who by their superior influence guided and controlled the opinions and passions of their associates in the senate and the army. After the king's death they derived much valuable aid from the talents of Vane, Whitelock, and St. John: and a feeble lustre was shed on their cause by the accession of the five peers from the abolished house of lords. Yet, when they looked around them, and observed the empty benches in the house, they were admonished of their own insignificance, and of the hollowness of their pretensions. They claimed the sovereign authority, as the representatives of the people; but the majority of those representatives had been excluded by successive acts of military violence; and the house had been reduced from more than five hundred members to less than one seventh of that number. For the credit and security of the government it was necessary both to supply the deficiency, and, at the same time, oppose a bar to the introduction of men of opposite principles. With this view, they resolved to

* Journ. Feb. 8. Yet neither this declaration nor the frequent remonstrances of the lawyers could prevent the house from usurping the office of the judges, or from inflicting illegal punishments. Thus, for example, on the report of a committee, detailing the discovery of a conspiracy to extort money by a false charge of delinquency, the house, without hearing the accused, or sending them before a court of justice, proceeded to inflict on some the penalties of the pillory, fine, and imprisonment, and adjudged Mrs. Samford, as the principal, to be whipt the next day from Newgate to the Old Exchange, and to be kept to hard labour for three months. Journals, 1650, Feb. 2: Aug. 13.

continue the exclusion of those who had on the 5th of December assented to the vote, that the king's "concessions were a sufficient ground to proceed to a settlement;" but to open the house to all others who would previously enter on the journals their dissent from that resolution.* By this expedient, and by occasional writs for elections in those places where the influence of the party was irresistible, the number of members gradually rose to one hundred and fifty, though it was seldom that the attendance of one half, or even one third, could be procured. Feb. 1.

During the war the dread of retaliation had taught the two parties to temper with moderation the licence of victory. Little blood had been shed except in the field of battle. But now that check was removed. The fanatics, not satisfied with the death of the king, demanded, with the bible in their hands, additional victims; and the politicians deemed it prudent by the display of punishment to restrain the machinations of their enemies. Among the royalists in custody were the duke of Hamilton (who was also earl of Cambridge in England), the earl of Holland, Goring, earl of Norwich, the lord Capel, and sir John Owen, all engaged in the last attempt for the restoration of Charles to the throne. By a resolution of the house of commons in November, Hamilton had been adjudged to pay a fine of 100,000*l.*, and the other four to remain in perpetual imprisonment; but after the triumph of the independents this vote had been rescinded, and a high court of justice was now established to try the same persons on a charge of high treason. It was in vain that Hamilton pleaded the order of the Scottish parliament under which he had acted; that Capel demanded to be brought before his peers, or a jury of his countrymen, according to those fundamental laws which the parliament had promised to maintain; that all invoked the national faith in favour of that quarter which they had obtained at the time of their surrender. Bradshaw, the president, delivered the opinions of the court. To Hamilton he replied, that, as an English earl, he was amenable to the justice of the country: to Capel, that the court had been established by the parliament, the supreme authority to which all must submit: to each, that quarter given on the field of battle ensured protection from the sword of the conqueror, but not from the vengeance Execution of the royalists. Feb. 1 Feb. 10.

* Journ. Feb. 1. Walker, ii. 115. Whitelock, 376.

of the law. All five were condemned to lose their
March 6. heads; but the rigour of the judgment was softened by a reference to the mercy of parliament. The next day the wives of Holland and Capel, ac-
March 7. companied by a long train of females in mourning, appeared at the bar, to solicit the pardon of the condemned. Though their petitions were rejected, a respite for two days was granted. Still they did not despair; recourse was had to flattery and entreaty; bribes were offered and accepted; and the following morning new pe-
March 8. titions were presented. The fate of Holland occupied a debate of considerable interest. Among the independents he had many personal friends, and the presbyterians exerted all their influence in his favour. But the saints expatiated on his repeated apostacy from the cause; and, after a sharp contest, Cromwell and Ireton obtained the majority of a single voice for his death. The case of Goring was next considered. No man during the war had treated his opponents with more bitter contumely, no one had inflicted on them deeper injuries; and yet, on an equal division, his life was saved by the casting voice of the speaker. The sentences of Hamilton and Capel were affirmed by the unanimous vote of the house, but, to the surprise of all men, Owen, a stranger, without friends or interest, had the good fortune to escape. His forlorn condition moved the pity of colonel Hutchinson; the efforts of Hutchinson were seconded by Ireton; and so powerful was their united influence, that they
March 9. obtained a majority of five in his favour. Hamilton, Holland, and Capel died on the scaffold, the first martyrs of loyalty after the establishment of the commonwealth.*

Opposition of the levellers. But, though the avowed enemies of the cause crouched before their conquerors, there was much in the internal state of the country to awaken apprehension in the breasts of Cromwell and his friends. There could be no doubt that the ancient royalists longed for the opportunity of avenging the blood of the king; or that the new royalists, the presbyterians, who sought to re-establish the throne on the conditions stipulated by the treaty in the Isle of Wight, bore with impatience the superiority of their rivals. Throughout the kingdom the lower classes loudly complained

* If the reader compare the detailed narrative of these proceedings by Clarendon (iii. 265—270) with the official account in the Journals (Mar. 7. 8), he will be surprised at the numerous inaccuracies of the Historian. See also the State trials. England's Bloody Tribunal.

of the burthen of taxation; in several parts they suffered under the pressure of famine. In Lancashire and Westmoreland numbers perished through want; and it was certified by the magistrates of Cumberland that thirty thousand families in that county "had neither seed nor bread corn, nor the means of procuring either."* But that which chiefly created alarm was the progress made among the military by the "levellers," men of consistent principles, and uncompromising conduct, under the guidance of colonel John Lilburne, an officer distinguished by his talents, his eloquence, and his courage.† Lilburne with his friends had long cherished a suspicion that Cromwell, Ireton, and Harrison sought only their private aggrandisement under the mantle of patriotism; and the recent changes had converted this suspicion into conviction. They observed that the same men ruled without control in the general council of officers, in the parliament, and in the council of state. They contended that every question was first debated and settled in the council of officers, and that, if their determination was afterwards adopted by the house, it was only that it might go forth to the public under the pretended sanction of the representatives of the nation: that the council of state had been vested with powers more absolute and oppressive than had ever been exercised by the late king; and that the high court of justice had been established by the party for the purpose of depriving their victims of those remedies which would be afforded by the ordinary courts of law. In some of their publications they went farther. They maintained that the council of state was employed as an experiment on the patience of the nation: that it was intended to pass from the tyranny of a few to the tyranny of one, and that Oliver Cromwell was the man who aspired to that high but dangerous pre-eminence.‡

Their demands.

A plan of the intended constitution, entitled "the agreement of the people," had been sanctioned by the council of officers, and presented by Fairfax to the house of commons, that it might be transmitted

Jan. 20.

* Whitelock, 398, 399.

† Lilburne in his youth had been a partisan of Bastwick, and had printed one of his tracts in Holland. Before the star-chamber, he refused to take the oath *ex officio*, or to answer interrogatories, and in consequence was condemned to stand in the pillory, was whipped from the Fleet-prison to Westminster, receiving five hundred lashes with knotted cords, and was imprisoned with double irons on his hands and legs. Three years later (1641) the House of Commons voted the punishment illegal, bloody, barbarous, and tyrannical. Burton's Diary, iii. 503, note.

‡ See England's New Chains Discovered, and the Hunting of the Foxes, passim. King's Pamphlets, No. 411, xxi, 414, xii. xvi.

to the several counties, and there receive the approbation of the inhabitants. As a stop to shut the mouth of Cerberus, the sum of three thousand pounds, to be raised from the estates of delinquents in the county of Durham, had been voted to Lilburne: but the moment he returned from the north, he appeared at the bar of the house, and petitioned against
Feb. 26. "the agreement," objecting in particular to one of the provisions by which the parliament was to sit but six months every two years, and the government of the nation during the other eighteen months was to be entrusted to the council of state. His example was quickly followed; and the table was covered with a succession of petitions from officers, and soldiers, and "the well-affected" in different counties. They demanded that a new parliament should be holden every year; that during the intervals the supreme power should be exercised by a committee of the house; that no member of the last should sit in the succeeding parliament; that the self-denying ordinance should be enforced; that no officer should retain his command in the army for more than a certain period; that the high court of justice should be abolished as contrary to law, and the council of state, as likely to become an engine of tyranny: that the proceedings in the courts should be in the English language, the number of lawyers diminished, and their fees reduced; that the excise and customs should be taken away, and the lands of delinquents sold for compensation to the well-affected; that the religion should be "reformed according to the mind of God," that no one should be molested or incapacitated on account of conscience; that tithes should be abolished; and that the income of each minister should be fixed at one hundred pounds per annum, to be raised by a rate on his parishioners.*

Resisted by the government.

Aware of the necessity of crushing this spirit of opposition in the military, general orders were issued
Feb. 22. by Fairfax, prohibiting private meetings of officers
March 1. or soldiers: "to the disturbance of the army;" and on the receipt of a letter of remonstrance from several regiments, four of the five troopers by whom it was signed were condemned by a court-martial to ride
March 3. the wooden horse with their faces to the tail, to have their swords broken over their heads, and to be afterwards cashiered. Lilburne, on the other hand, laboured to inflame the general discontent by a succession of pamphlets

* Walker, 133, Whitelock, 388. 393. 396. 398, 399. Carte, Letters, i. 229.

entitled "England's New Chains Discovered, the Hunting of the Foxes from Newmarket and Triploe-heath to Whitehall by five small Beagles (in allusion to the five troopers), and the second part of England's New Chains." The last of these he read to a numerous assembly at Winchester-house: by the parliament it was voted a seditious and traitorous libel, and the author, with his associates, Walwyn, Prince, and Overton, was committed, by order of the council, to close custody in the Tower.* March 25. March 27. March 29.

It had been determined to send to Ireland a division of twelve thousand men; and the regiments to be employed were selected by ballot, apparently in the fairest manner. The men, however, avowed a resolution not to march. It was not, they said, that they refused the service; but they believed the expedition to be a mere artifice to send the discontented out of the kingdom, and they asserted that by their engagement on Triploe-heath they could not conscientiously move a step, till the liberties of the nation were settled on a permanent basis. The first act of mutiny occurred in Bishopsgate. A troop of horse refused to obey their colonel, and, instead of marching out of the city, took possession of the colours. Of these, five were condemned to be shot, but one only, by name Lockyer, suffered. At his burial a thousand men in files preceded the corpse, which was adorned with bunches of rosemary dipped in blood: on each side rode three trumpeters, and behind was led the trooper's horse covered with mourning: some thousands of men and then of women followed with black and green ribbons on their heads and breasts, and were received at the grave by a numerous crowd of the inhabitants of London and Westminster. This extraordinary funeral convinced the leaders how widely the discontent was spread, and urged them to the immediate adoption of the most decisive measures.†

The regiments of Scroop, Ireton, Harrison, Ingoldsby, Skippon, Reynolds, and Horton, though quartered in different places, had already elected their agents, and published their resolution to adhere to each other; when the house commissioned Fairfax to reduce the mutineers, ordered Skippon to secure the capital from surprise, and declared it treason for soldiers to conspire the death of the general, or lieutenant-general, or

The mutineers suppressed. May 7.

* Whitelock, 395, 396. 392. Council Book in the state paper office, Mar. 27. No. 17; Mar. 29. No. 27. Carte, Letters, i. 273. 276.
† Walker, 161. Whitelock, 399.

for any person to endeavour to alter the government, or to affirm that the parliament or council of state were either tyrannical or unlawful.* At Banbury in Oxfordshire, a captain Thompson, at the head of two hundred men, published a manifesto, entitled England's Standard Advanced, in which he declared that, if Lilburne or his fellow-prisoners were ill-treated, their sufferings should be avenged seventy times seven-fold upon their persecutors. His object was to unite some of the discontented regiments; but colonel Reynolds surprised him at Banbury, and prevailed on his followers to surrender without loss of blood.† Another party, consisting of ten troops of horse, and more than a thousand strong, proceeded from Salisbury to Burford, augmenting their numbers as they advanced.

May. 14. Fairfax and Cromwell, after a march of more than forty miles during the day, arrived soon afterwards, and ordered their followers to take refreshment. White had been sent to the insurgents with an offer of pardon on their submission; whether he meant to deceive them or not, is uncertain; he represented the pause on the part of the general as time allowed them to consult and frame their demands; and at the hour of midnight, while they slept in security, Cromwell forced his way into the town with two thousand men at one entrance, while colonel Reynolds with a strong body opposed their exit by the other. Four hundred of the mutineers were made prisoners, and the arms and horses of of double that number were taken. One cornet and two corporals suffered death; the others, after a short imprisonment, were restored to their former regiments.‡

This decisive advantage disconcerted all the plans of the mutineers. Some partial risings in the counties of Hants, Devon, and Somerset were quickly suppressed; and Thomp-

May 20. son, who had escaped from Banbury, and retired to Wellingborough, being deserted by his followers, refused quarter, and fell fighting singly against a host of enemies.§ To express the national gratitude for this sig-

May 31. nal deliverance, a day of thanksgiving was appointed; the parliament, the council of state, and

June 7. the council of the army, assembled at Christchurch; and, after the religious service of the day, consisting of two long sermons and appropriate prayers, proceeded to Grocers'-hall, where they dined by invitation from

* Journals, May 1. 14. Whitelock, 399.
† Walker. ii. 168. Whitelock, 401.
‡ King's Pamphlets, No. 421, xxvii; 422, i. Whitelock, 402.
§ Whitelock, 403.

the city. The speaker Lenthall, the organ of the supreme authority, like former kings, received the sword of state from the mayor, and delivered it to him again. At table, he was seated at the head, supported on his right hand by the lord general, on the left by Bradshaw, the president of the council, thus exhibiting to the guests the representatives of the three bodies, by which the nation was actually governed. At the conclusion of the dinner the lord mayor presented 1000*l.* in gold to Fairfax in a basin and ewer of the same metal, and 500*l.* with a complete service of plate to Cromwell.*

Proceedings in Scotland.

The suppression of the mutiny afforded leisure to the council to direct its attention to the proceedings in Scotland and Ireland. In the first of these kingdoms, after the departure of Cromwell, the supreme authority had been exercised by Argyle and his party, who were supported, and at the same time controlled, by the paramount influence of the kirk. The forfeiture and excommunication of the "engagers" left to their opponents the undisputed superiority in the parliament and all the great offices of the state. From the part which Argyle had formerly taken in the delivery of the king, his recent connexion with Cromwell, and his hostility to the engagement, it was generally believed that he acted in concert with the English independents. But he was wary, and subtle, and flexible. At the approach of danger he could dissemble; and, whenever it suited his views, could change his measures without changing his object. At the beginning of January the fate with which Charles was menaced, revived the languid affection of the Scots. A cry of indignation burst from every part of the country: he was their native king—would they suffer him to be arraigned as a criminal before a foreign tribunal? By delivering him to his enemies they had sullied the fair fame of the nation—would they confirm this disgrace by tamely acquiescing in his death? Argyle deemed it prudent to go with the current of national feeling:† he suffered a committee to be appointed in parliament, and the commissioners in London received instructions to protest against the trial and condemnation of the king. But these instructions disclose the timid, fluctuating policy of the

* Leicester's Journal, 74. Whitelock, (406,) places the guests in a different order.

† Warriston had proposed (and Argyle had seconded him) to postpone the motion for interference in the king's behalf till the Lord had been sought by a solemn fast, but "Argyle, after he saw that it was carried by wottes in his contrarey, changed his first opinione with a faire appologey, and willed them then presently to enter on the bussiness." Balfour, iii. 386.

man by whom they were dictated. It is vain to look in them for those warm and generous sentiments which the case demanded. They are framed with hesitation and caution: they betray a consciousness of weakness, a fear of provoking enmity, and an attention to private interest; and they shew that the protestors, if they really sought to save the life of the monarch, were yet more anxious to avoid every act or word which might give offence to his adversaries.*

Charles II. proclaimed in Edinburgh. Feb. 5.

The commissioners delivered the paper, and the Scottish parliament, instead of an answer, received the news of the king's execution. The next day the chancellor, attended by the members, proceeded to the cross in Edinburgh, and proclaimed Charles, the son of the deceased prince, king of Scotland, England, France, and Ireland. But to this proclamation was appended a provision, that the young prince, before he could enter on the exercise of the royal authority, should satisfy the parliament of his adhesion both to the national covenant of Scotland and to the solemn league and covenant between the two kingdoms.†

Feb. 17.

At length, three weeks after the death of the king, whose life it was intended to save, the English parliament condescended to answer the protestation of the Scots, but in a tone of contemptuous indifference, both as to the justice of their claim, and the consequences of their anger. Scotland, it was replied, might perhaps have no right to bring her sovereign to a public trial, but that circumstance could not affect the right of England. As the English parliament did not intend to trench on the liberties of others, it would not permit others to trench upon its own. The recollection of the evils inflicted on the nation by the misconduct of the king, and the consciousness that they had deserved the anger of God by their neglect to punish his offences, had induced them to bring him to justice, a course which they doubted not God had already approved, and would subsequently reward by the establishment of their liberties. The Scots had now the option of being freemen or slaves: the aid of England was offered for the vindication of their rights; if it were refused, let them beware how they entailed on themselves and their posterity the miseries of continual war with their nearest neighbour, and of slavery under the issue of a tyrant.‡

* See the instructions in Balfour, iii. 383; and Clarendon, iii. 280.
† Balfour, iii. 387. Clar. iii. 284.
‡ Journals, Feb 17. 20. Clar. iii. 282.

The Scottish commissioners, in reply, hinted that the present was not a full parliament; objected to any alteration in the government by king, lords, and commons; desired that no impediment should be opposed to the lawful succession of Charles II; and ended by protesting that, if any such thing were done, the Scots were free before God and man from the guilt, the blood, the calamities, which it might cost the two kingdoms. Having delivered this paper, they hastened to Gravesend. Their object was to proceed to the United Provinces, and offer the Scottish crown on certain conditions to the young king. But the English leaders resolved to interrupt their mission. The answer which they had given was voted a scandalous libel, framed for the purpose of exciting sedition; the commissioners were apprehended at Gravesend as national offenders, and captain Dolphin received orders to conduct them under a guard to the frontiers of Scotland.* Answer of the Scots. Feb. 24. Feb. 26. March 2.

This insult, which, though keenly felt, was tamely borne, might retard, it could not prevent, the purpose of the Scottish parliament. The earl of Cassilis, with four new commissioners, was appointed to proceed to Holland, where Charles, under the protection of his brother-in-law, the prince of Orange, had resided since the death of his father.† His court consisted at first of the few individuals whom that monarch had placed around him, and whom he now swore of his privy council. It was soon augmented by the earl of Laneric, who, on the death of his brother, became duke of Hamilton, the earl of Lauderdale, and the earl of Callendar, the chiefs of the Scottish engagers; these were followed by the ancient Scottish royalists, Montrose, Kinnoul, and Seaforth, and in a few days appeared Cassilis with his colleagues, and three deputies from the church of Scotland, who brought with them news not likely to ensure them a gracious reception, that the parliament, at the petition of the kirk, had sent to the scaffold the old marquess of Huntley, forfaulted for his adhesion to the royal cause in the year 1645. All pro- Their deputies to the king. March 17. March 26.

* Journals, Feb. 26. 28. Whitelock, 384. Balfour, iii. 388, 389. Carte, Letters, i. 233. Dolphin received a secret instruction not to dismiss sir John Chiesley, but to keep him as a hostage, till he knew that Mr. Rowe, the English agent in Edinburgh, was not detained. Council Book, Mar 2.

† Whatever may have been the policy of Argyle, he most certainly promoted this mission, and "overswayed the opposition to it by his reason, authority, and diligence." Baillie, ii. 353.

fessed to have in view the same object—the restoration of the young king; but all were divided and alienated from each other by civil and religious bigotry. By the commissioners, the engagers; by both, Montrose and his friends were shunned as traitors to their country, and sinners excommunicated by the kirk. Charles was perplexed by the conflicting opinions of these several advisers. Both the commissioners and engagers, hostile as they were to each other, represented his taking of the covenant as an essential condition: while Montrose and his English counsellors contended that it would exasperate the independents, offend the friends of episcopacy, and cut off all hope of aid from the catholics, who could not be expected to hazard their lives in support of a prince sworn to extirpate their religion.*

Murder of Dorislaus.

While the question was yet in debate, an event happened to hasten the departure of Charles from the Hague. Dr. Dorislaus, a native of Holland, but formerly a professor in Gresham college, and recently employed to draw the charge against the king, arrived May 3. as envoy from the parliament to the states. That very evening, while he sate at supper in the inn, six gentlemen with drawn swords entered the room, dragged him from his chair, and murdered him on the floor.† Though the assassins were suffered to escape, it was soon known that they were Scotsmen, most of them followers of Montrose; and Charles, anticipating the demand of justice from May 19. the English parliament, gave his final answer to the commissioners, that he was, and always had been, ready to provide for the security of their religion, the union between the kingdoms, and the internal peace and prosperity of Scotland; but that their other demands were irreconcileable with his conscience, his liberty, and his honour. They acknowledged that he was their king: it was, therefore, their duty to obey, maintain, and defend him; and the performance of this duty he should expect from the committee of estates, the assembly of the kirk, and the whole nation of Scotland. They departed with this unsatisfactory answer; and Charles, leaving the United Provinces, hastened to St-Germain in

* Clar. iii. 287—292. Baillie, ii. 333. Carte, Letters, i. 238—263. In addition to the covenant, the commissioners required the banishment of Montrose, from which they were induced to recede, and the limitation of the king's followers to 100 persons. Carte, Letters, i. 264. 5, 6. 8. 271.

† Clarendon, iii. 293. Whitelock, 401. Journals, May 10. The parliament settled 200*l.* per annum on the son, and gave 500*l.* to each of the daughters of Dorislaus. Ib. May 16. 250*l.* was given towards his funeral. Council Book, May 11.

France, to visit the queen his mother, with the intention of repairing, after a short stay, to the royalist army in Ireland.*

That the reader may understand the state of Ireland, he must look back to the period when the despair or patriotism of Ormond surrendered to the parliament the capital of that kingdom. The nuncio, Rinuccini, had then seated himself in the chair of the president of the supreme council at Kilkenny; but his administration was soon marked by disasters, which enabled his rivals to undermine and subvert his authority. The catholic army of Leinster, under Preston, was defeated on Dungan-hill by Jones, the governor of Dublin, and that of Munster, under the viscount Taafe, at Clontarf, by the lord Inchiquin.† To Rinuccini himself these misfortunes appeared as benefits, for he distrusted Preston and Taafe on account of their attachment to Ormond; and their depression served to exalt his friend and protector, Owen Roe O'Nial, the leader of the men of Ulster. But from these beginnings the nation at large anticipated a succession of similar calamities; his adversaries obtained a majority in the general assembly; and the nuncio, after a declaration that he advanced no claim to temporal authority, prudently avoided a forced abdication, by offering to resign his office. A new council, consisting in equal number of men chosen out of the two parties, was appointed; and the marquess of Antrim, the lord Muskerry, and Geoffrey Brown, were despatched to the queen mother and her son Charles to solicit assistance in money and arms, and to request that the prince would either come and reside in Ireland, or appoint a catholic lieutenant in his place. Antrim hoped to obtain this high of-

State of Ireland. 1647. July. Aug. 8. Nov. 13. 1648. Jan. 4. Feb. 27.

* Balfour, iii. 405.; and the proceedings of the commissioners of the church and kingdome of Scotland with his majestie at the Hague. Edinburgh, printed by Evan Tyler, 1649.

† Rushworth, 823, 916. In the battle of Dungan-hill, at the first charge the commander of the Irish cavalry was slain; his men immediately fled; the infantry repelled several charges, and retired into a bog where they offered to capitulate. Colonel Flower said he had no authority to grant quarter, but at the same time ordered his men to stand to their arms, and preserved the lives of the earl of Westmeath, lieutenant-general Byrne, and several officers and soldiers who repaired to his colours. "In the mean time the Scotch colonel Tichburn and colonel Moor of Bankhall's regiments without mercy put the rest to the sword." They amounted to between three and four thousand men. Belling's History of the late warre in Ireland. MS. ii. 96. I mention this instance to show that Cromwell did not introduce the practice of massacre. He followed his predecessors, whose avowed object it was to exterminate the natives.

fice for himself; but his colleagues were instructed to oppose his pretensions, and to acquiesce in the appointment of the marquess of Ormond.*

Conduct of the nuncio.

During the absence of these envoys, the lord Inchiquin unexpectedly declared, with his army, in favour of the king against the parliament, and instantly proposed an armistice to the confederate catholics, as friends to the royal cause. By some the overture was indignantly rejected. Inchiquin, they said, had been their most bitter enemy; he had made delight to shed the blood of Irishmen, and to pollute and destroy their altars. Besides, what pledge could be given for the fidelity of a man who, by repeatedly changing sides, had already shewn that he would always accommodate his conscience to his interest? It were better to march against him now that he was without allies; and, when he should be subdued, Jones with the parliamentary army would necessarily fall. To this reasoning it was replied, that the expedition would require time and money; that provision for the free exercise of religion might be made in the articles; and that, at a moment when the catholics solicited a reconciliation with the king, they could not

April 27. in honour destroy those who drew the sword in his favour In defiance of the remonstrances made by Rinuccini and eight of the bishops, the treaty proceeded; and the nuncio believing, or pretending to believe, that he was a prisoner in Kilkenny, escaped in the night

May 9. over the wall of the city, and was received at Maryborough with open arms by his friend O'Nial.

May. 22. The council agreed to the armistice, and sought by repeated messages to remove the objections of the

May 27. nuncio. But zeal or resentment urged him to exceed his powers. He condemned the treaty, excom-

May 31 municated its abettors, and placed under an interdict the towns in which it should be admitted. But his spiritual weapons were of little avail. The council, with fourteen bishops, appealed from his censures; the forces under Taafe, Clanricard, and Preston sent back his messengers; and, on the departure of O'Nial, he repaired to the town of Galway, where he was sure of the support of the people, though in opposition to the sense of the mayor and the merchants. As a last effort, he summoned a national synod at Galway: but the council protested against it; Clanricard surrounded the

* Philopater Irenæus, 50—60. Castlehaven, Memoirs, 83.

town with his army; and the inhabitants, opening the gates, made their submission.* Sep. 1.

War was now openly declared between the two parties. On the one hand Jones, in Dublin, and Monk in Ulster, concluded truces with O'Nial, that he might be in a better condition to oppose the common enemy: on the other, Inchiquin joined with Preston to support the authority of the council against O'Nial. Inroads were reciprocally made; towns were taken and retaken; and large armies were repeatedly brought in face of each other. The council, however, began to assume a bolder tone; they proclaimed O'Nial a rebel and traitor; and, on the tardy arrival of Ormond with the commission of lord lieutenant, sent to Rinuccini himself an order to quit the kingdom, with the information that they had accused him to the pope of certain high crimes and misdemeanours.† But he continued to issue his mandates in defiance of their orders and threats; nor was it till after the new pacification between Charles and the confederates had been published, and the execution of the king His flight from Ireland. Sep. 3. Sep. 29. Oct. 19. 1649. Jan. 17.

* See Desiderata Cur. Hib. ii. 511. Carte, ii. 20. 31—36. Belling, in his MS. history of the late war in Ireland, part iv. 1—40. He has inserted most of the papers which passed between the parties in this work. See also Philopater Irenæus, i. 60. 86. ii. 90. 94. Walsh, History and Vindication, app. 33—40. Ponce, 90.

† The charge may be seen in Philopater Iren. i. 150—160. Clarendon, viii. 68. Oxford, 1726.—It is evident that the conduct of Rinuccini in breaking the first peace was not only reprehensible in itself, but productive of the most calamitous consequences both to the cause of royalty, and the civil and religious interests of the Irish catholics. The following is the ground on which he attempts to justify himself. Laying it down as an undeniable truth that the Irish people had as good a right to the establishment of their religion in their native country, as the covenanters in Scotland, or the presbyterians in England, he maintains that it was his duty to make this the great object of his proceedings. When the peace was concluded, Charles was a prisoner in the hands of the Scots, who had solemnly sworn to abolish the catholic religion; and the English royalists had been subdued by the parliament, which by repeated votes and declarations had bound itself to extirpate the Irish race, and parcel out the island among foreign adventurers. Now there was no human probability that Charles would ever be restored to his throne, but on such conditions as the parliament and the Scots should prescribe; and that, on their demand, he would, after some struggle, sacrifice the Irish catholics, was plain from what had passed in his different negociations with the parliament, from his disavowal of Glamorgan's commission, and from the obstinacy with which his lieutenant, Ormond, had opposed the claims of the confederates. Hence he inferred that a peace, which left the establishment of religion to the subsequent determination of the king, afforded no security, but, on the contrary, was an abandonment of the cause for which the catholics had associated; and that it therefore became him, holding the situation which he did, to oppose it by every means in his power. MS. narrative of Rinuccini's proceedings, written for the use of the pope; and Ponce, 271.

had fixed the public opinion on the pernicious result of his counsels, that shame and apprehension drove him from Ireland to France, whence, after a few months, he was recalled to Rome.

Jan. 30.

Feb. 23.

Articles of peace.

The negociation between Ormond and the catholics had continued for three months: in January the danger which threatened the royal person induced the latter to recede from their claims, and trust to the future gratitude and honour of their sovereign. They engaged to maintain at their own expense an army of seventeen thousand five hundred men, to be employed against the common enemy; and the king, on his part, consented that the free exercise of the catholic worship should be permitted; that twelve commissioners of trust appointed by the assembly should aid the lord lieutenant in the internal administration; that the court of wards and several other grievances should be abolished; that a parliament should be called as soon as the majority of the commissioners might deem it expedient, and in that parliament the persecuting laws on the subject of religion, with others injurious to the trade and commerce of Ireland, should be repealed, and the independence of the Irish on the English parliament should be asserted.*

Cromwell appointed to the command.

The royal interest was now predominant in Ireland. The fleet under prince Rupert rode triumphant along the coast; the parliamentary commanders, Jones in Dublin, Monk in Belfast, and Coote in Londonderry, were almost confined within the limits of their respective garrisons; and Inchiquin in Munster, the Scottish regiments in Ulster, and the great body of the catholics adhering to the supreme council, had proclaimed the king, and acknowledged the authority of his lieutenant. It was during this favourable state of things that Charles received and accepted the invitation of Ormond, but his voyage was necessarily delayed through want of money, and his ardour was repeatedly checked by the artful insinuations of some among his counsellors, who secretly feared that, if he were once at the head of a catholic army, he would listen to the demands of the catholics for the establishment of their religion.† On the contrary, to the leaders in London the danger of losing Ireland became a source of

March 29.

* Phil. Iren. i. 166. Walsh, app. 43-64. Whitelock, 391. Charles approved, and promised to observe this peace. Carte's Letters, ii. 367.

† Carte, Letters, i. 258. 262.

the most perplexing solicitude. The office of lord lieutenant was offered to Cromwell. He affected to hesitate; at his request two officers from each corps received orders to meet him at Whitehall, and seek the Lord in prayer; and, after a delay of two weeks, he condescended to submit his shoulders to the burthen, because he had learned that it was the will of heaven.* His demands, however, were so numerous, the preparations to be made so extensive, that it was necessary to have recourse in the interval to other expedients for the preservation of the forces and places which still admitted the authority of the parliament. One of these was to allure to the cause of the independents the catholics of the two kingdoms; for which purpose, the sentiments of sir Kenelm Digby and sir John Winter were sounded, and conferences were held, through the agency of the Spanish ambassador, with O'Reilly and Quin, two Irish ecclesiastics. It was proposed that toleration should be granted for the exercise of the catholic worship, without any penal disqualifications, and that the catholics in return should disclaim the temporal pretensions of the pope, and maintain ten thousand men for the service of the commonwealth. In aid of this project, Digby, Winter, and the Abbé Montague, were suffered to come to England under the pretence of compounding for their estates; and the celebrated Thomas White, a secular clergyman, published a work entitled "The Grounds of Obedience and Government," to show that the people may be released from their obedience to the civil magistrate by his misconduct; and that, when he is once deposed (whether justly or unjustly makes no difference), it may be for the common interest to acquiesce, rather than attempt his restoration. That this doctrine was satisfactory to the men in power cannot be doubted; but they had so often reproached the late king with a coalition with the papists, that they dared not make the experiment, and, after some time, to blind perhaps the eyes of the people, severe votes were passed against Digby, Montague, and Winter, and orders were given for the apprehension of priests and jesuits.†

March 15. March 23. March 29. March. April. Aug. 31.

* Journals, Mar. 30. Whitelock, 389. 391, 392.

† On this obscure subject may be consulted Walker, ii. 150. Carte's Collection of Letters, i. 216. 219. 221, 222. 224. 267. 272. 297; ii. 363, 4; and the Journals, Aug. 31.

Treaty with O'Nial.

In Ireland an attempt was made to fortify the parliamentary party with the friendly aid of O'Nial. That chieftain had received proposals from Ormond, but his jealousy of the commissioners of trust, his former adversaries, provoked him to break off the

Feb. 20. treaty, and send a messenger of his own with a tender of his services to Charles. Immediately the

March 16. earl of Castlehaven, by order of the lord lieutenant, attacked and reduced his garrisons of Maryborough

March 21. and Athy; and O'Nial, in revenge, listened to the

April 25. suggestions of Monk, who had retired before the superior force of the Scottish royalists from Belfast to Dundalk. A cessation of hostilities was concluded for

May 8. three months; and the proposals of the Irish chieftain, modified by Monk, where transmitted to England for the ratification of parliament. By the "grandees" it was thought imprudent to submit them to an examination, which would make them public; but the answer re-

May 22. turned satisfied the contracting parties; Monk supplied O'Nial with ammunition, and O'Nial undertook to intercept the communication between the Scottish regiments in the north, and the grand army under Ormond in the heart of the kingdom.*

Cromwell departs for Ireland.

Though the parliament had appointed Cromwell lord lieutenant of Ireland, and vested the supreme authority, both civil and military, in his person for three years; he was still unwilling to hazard his reputation and his prospects in a dangerous expedition without the

June 22. adequate means of success. Out of the standing army of forty-five thousand men, with whose aid Eng-

* O'Nial demanded liberty of conscience for himself, his followers, and their posterity; the undisturbed possession of their lands, as long as they remained faithful to the parliament; and, in return for his services, the restoration of his ancestor's estate, or an equivalent. (See both his draft, and the corrected copy by Monk in Philop. Iren. i. 191, and in Walker, ii. 233—8). His agent, on his arrival in London, was asked by the grandees, why he applied to them and refused to treat with Ormond. He replied, because the late king had always made them fair promises; but when they had done him service, and he could make better terms with their enemies, had always been ready to sacrifice them. Why then did not O'Nial apply to the parliament sooner? Because the men in power then had sworn to extirpate them; but those in power now professed toleration and liberty of conscience. (Ludlow, i. 256.) Ludlow adds, that the proposal was rejected, because the Ulster men had been the chief actors in the murder of the English, and liberty of religion would prove dangerous to public peace. But this rejection happened much later. It is plain that Jones, Monk, Coote, and O'Nial, understood that the agreement would be ratified, though it was delayed. Walker, ii. 198. 231. 245.

land was now governed, he demanded a force of twelve thousand veterans, with a plentiful supply of provisions and military stores, and the round sum of 100,000*l.* in ready money.* On the day of his departure his friends assembled at Whitehall; three ministers solemnly invoked the blessing of God on the arms of his saints, and three officers, Goff, Harrison, and the lord lieutenant himself, expounded the scriptures "excellently well, and pertinently to the occasion." After these outpourings of the spirit, Cromwell mounted his carriage, drawn by six horses. He was accompanied by the great officers of state and of the army; his life guard, eighty young men, all of quality, and several holding commissions as majors and colonels, surprised the spectators by their splendid uniforms and gallant bearing, and the streets of the metropolis resounded, as he drove towards Windsor, with the acclamations of the populace and the clangor of military music.† It had been fixed that the expedition should sail from Milford-haven; but the impatience of the general was checked by the reluctance and desertion of his men. The recent transaction between Monk and O'Nial had diffused a spirit of distrust through the army. It was pronounced an apostacy from the principles on which they had fought. The exaggerated horrors of the massacre in 1641 were recalled to mind; the repeated resolutions of parliament to extirpate the native Irish, and the solemn engagement of the army to revenge the blood which had been shed, were warmly discussed; and the invectives of the leaders against the late king, when he concluded a peace with the confederate catholics, were contrasted with their present backsliding, when they had taken the men of Ulster for their associates in the cause and their brethren in arms. To appease the growing discontent, parliament annulled the agreement. Monk, who had returned to England, was publicly assured that, if he escaped the punishment of his indiscretion, it was on account of his past services and good intentions. Peters from the pulpit employed his eloquence to remove the blame from the grandees; and, if we may judge from the sequel, promises were made, not only that the good cause should be supported, but that the duty of revenge should be amply discharged.‡ July 10.

* Cromwell received 3000*l.* for his outfit, 10*l.* per day as *general* while he remained in England, and 2000*l.* per quarter in Ireland, besides his salary as lord lieutenant. Council Book, July 12 No. 10.

† Whitelock, 413. Leicester's Journal, 76.

‡ Walker, ii. 230. 243. Whitelock, 416. Leicester's Journal, 82.

Jones gains the victory at Rathmines.

While the army was thus detained in the neighbourhood of Milford-haven, Jones, in Dublin, reaped the laurels which Cromwell had destined for himself. The royal army advanced on both banks of the Liffy to the siege of that capital; and Ormond, from his

Aug 1. quarters at Finglass, ordered certain works to be thrown up at a place called Begatrath. His object was to exclude the horse of the garrison from the only pasturage in their possession; but, by some mishap, the working party did not reach the spot till an hour before sun-

Aug. 2. rise; and Jones, sallying from the walls, overpowered the guard, and raised an alarm in the camp. The confusion of the royalists encouraged him to follow up his success. Regiment after regiment was beaten; it was in vain that Ormond, aroused from his sleep, flew from post to post; the different corps acted without concert; a general panic ensued, and the whole army on the right bank fled in every direction. The artillery, tents, baggage, and ammunition, fell into the hands of the conquerors, with two thousand prisoners, three hundred of whom were massacred in cold blood at the gate of the city. This was called the battle of Rathmines, a battle which destroyed the hopes of the Irish royalists, and taught men to doubt the abilities of Ormond. At court, his enemies ventured to hint suspicions of treason; but Charles, to silence their murmurs, and assure him of the royal favour, sent him the order of the garter.*

Cromwell lands.

The news of this important victory hastened the departure of Cromwell. He sailed from Milford

Aug. 13. with a single division; his son-in-law, Ireton, fol-

Aug. 16. lowed with the remainder of the army, and a fortnight was allowed the soldiers to refresh themselves after their voyage. Aware that the royalists could assemble no army in the field, he marched to the siege of Dro-

Sep. 3. gheda. The defences of the place were contemptible; but the garrison consisted of two thousand five hundred chosen men, and the governor, Sir Arthur Aston, had earned in the civil war the reputation of a brave and

Sep. 9. experienced officer. In two days a breach was ef-

* King's Pamphlets, No. 434, xxi. Whitelock, 410, 1, 2. 4, 5. 7. 9. Clarendon, viii. 92, 93. Carte, Letters, ii. 394. 402. 408. Baillie, ii. 346. Ludlow, i. 257, 8. Ormond, before his defeat, confidently predicted the fall of Dublin (Carte, Letters, ii. 388. 389. 391.); after it, he repeatedly asserts that Jones, to magnify his own services, makes the royalists amount to eighteen, whereas, in reality, they were only eight thousand men. Ibid. 402. 413.

fected; but Aston ordered trenches to be dug within the wall, and the assailants on their first attempt were quickly repulsed. In the second, more than a thousand men penetrated through the breach; but they suffered severely for their temerity, and were driven back with considerable loss. Cromwell now placed himself at the head of the reserve, and led them to the assault, animating them by his voice and example. In the heat of the conflict, it chanced that the royalist officer who defended one of the trenches fell; his men wavered; quarter was offered and accepted; and the enemy, surmounting the breast-work, obtained possession of the bridge, entered the town, and successively overcame all opposition. The pledge which had been given was now violated; and, as soon as resistance ceased, a general massacre was ordered or tolerated by Cromwell. During five days the streets of Drogheda ran with blood: revenge and fanaticism stimulated the passions of the soldiers; from the garrison they turned their swords against the inhabitants, and one thousand unresisting victims were immolated together within the walls of the great church, whither they had fled for protection.* From Drogheda the conqueror led his men, flushed with slaughter, to the siege of Wexford. The timid counsels of the townsmen were repressed by the resolution of the governor; but a traitor opened the castle to the enemy; the adjacent wall was immediately scaled; and, after a stubborn but unavailing resistance in the market place, Wexford was abandoned to the mercy of the assailants. The tragedy, so recently acted at Drogheda, was renewed. No distinction was made between the defenceless inhabitant and the armed soldier; nor could the shrieks and prayers of three hundred females, who had gathered round the great cross, preserve them from the

Sep. 11. 1650.

Massacre at Drogheda.

At Wexford.

Oct. 12.

* See Carte's Ormond, ii. 34. Carte, Letters, ii. 412. Philop. Iren. i. 126. Whitelock, 428. Ludlow, i. 261. Lynch, Cambrensis Eversus, in fine. Ormond repeatedly asserts that quarter was granted before the massacre. "All his officers and soldiers promising quarter to such as would lay down their arms, and performing it as long as any place held out which encouraged others to yield. But when they had once all in their power, and feared no hurt that could be done them, then the word no quarter went round, and the soldiers were many of them forced against their wills to kill their prisoners." Carte, Letters, ii. 412. Cromwell seems to assert the contrary in his public despatch. "Being thus entered, we refused them quarter, having the day before summoned the town. I believe we put to the sword the whole number of the defendants....This is a marvellous great mercy." In another letter is admitted the additional massacre of a thousand of the inhabitants, who had fled to the great church for security. Whitelock, 428.

swords of these ruthless barbarians. By Cromwell himself the number of the slain is reduced to two, by some writers it has been swelled to five thousand.*

Ormond, unable to interrupt the bloody career of his adversary, waited with impatience for the determination of O'Nial. That chieftain had faithfully performed his engagements with the parliamentary commanders. He had thrown impediments in the way of the royalists; he had compelled Montgomery to raise the siege of Londonderry, and had rescued Coote and his small army, the last hope of the parliament in Ulster, from the fate which seemed to await them. At first the leaders in London hesitated; after the victory of Rathmines, they publicly refused to ratify the treaties made with him by their officers.† Stung with indignation, O'Nial accepted the offers of Ormond, and marched from Londonderry to join the royal army; but his progress was retarded by sickness, and he died at Clocknacter in Cavan. His officers, however, fulfilled his intentions; the arrival of the men of Ulster revived the courage of their associates: and the English general was successively foiled in his attempts upon Duncannon and Waterford. His forces already began to suffer from the inclemency of the season; when lord Broghill, who had lately returned from England, debauched the fidelity of the regiments under lord Inchiquin. The garrisons of Cork, Youghall, Bandon, and Kinsale, declared for the parliament, and Cromwell seized the opportunity to close the campaign, and place his followers in winter quarters.‡

1649.

His further progress. 1650. Jan. 29.

But inactivity suited not his policy or inclination. After seven weeks of repose he again summoned them into the field; and at the head of twenty thousand men, well appointed and disciplined, confidently anticipated the entire conquest of Ireland. The royalists were destitute of money, arms, and ammunition; a pestilential disease, introduced with the cargo of a ship from Spain, ravaged their quarters; in the north Charlemont alone acknowledged the royal authority; in Leinster and Mun-

* Carte's Ormond, ii. 92. Castlehaven, 99. Philop. Iren. i. 223.

† Council Book, Aug. 6, No. 67, 8, 9. 70. Journals, Aug. 10. 24. Walker, ii. 245—8. King's Pamphlets, No. 435. xi; 437. xxiii. The reader must not confound this Owen Roe O'Nial with another of the same name, one of the regicides, who claimed a debt of 5,065*l.* 17*s.* 6*d.* of the parliament, and obtained an order for it to be paid out of the forfeited lands in Ireland. Journ. 1653, Sep. 9.

‡ Phil. Iren. i. 231. Carte's Ormond, ii. 302.

ster, almost every place of importance had been wrested from them by force or perfidy; and even in Connaught, their last refuge, internal dissension prevented that union which alone could save them from utter destruction. Their misfortunes called into action the factions which had lain dormant since the departure of the nuncio. The recent treachery of Inchiquin's forces had engendered feelings of jealousy and suspicion; and many contended that it was better to submit at once to the conqueror than depend on the doubtful fidelity of the lord lieutenant. Cromwell met with little resistance: wherever he came, he held out the promise of life and liberty of conscience:* but the rejection of the offer, though it were afterwards accepted, was punished with the blood of the officers; and, if the place was taken by force, with indiscriminate slaughter.† Proceeding on this plan, one day granting quarter, another putting the leaders only to the sword, and on the next immolating the whole garrison, hundreds of human beings at a time, he quickly reduced most of the towns and castles in the three counties of Limerick, Tipperary, and Kilkenny. But this bloody policy at length recoiled upon its author. Men, with no alternative but victory or death, learned to fight with the energy of despair. At the siege of Kilkenny the assailants, though twice repulsed from the breach, were, by the timidity of some of the inhabitants, admitted within the walls; yet, so obstinate was the resistance of the garrison, that, to spare his own men, the general consented to grant them honourable terms. From Kilkenny he proceeded to the town of Clonmel, where Hugh, the son of the deceased O'Nial, commanded with one thousand two hundred of the best troops of Ulster. The duration of the siege exhausted his patience; the breach was stormed a second time; and, after a conflict

March 28.

May 9.

* Liberty of conscience he explained to mean liberty of internal belief, not of external worship. See his letter in Phil. Iren. i. 270.

† The Irish commanders disdained to imitate the cruelty of their enemies. "I took," says lord Castlehaven, "Athy by storm, with all the garrison (seven hundred men) prisoners. I made a present of them to Cromwell, desiring him by letter that he would do the like with me, as any of mine should fall into his power. But he little valued my civility. For, in a few days after, he besieged Gouvan; and the soldiers mutinying, and giving up the place with their officers, he caused the governor, Hammond, and some other officers, to be put to death." Castlehaven, 107. Ormond also says, in one of his letters: "the next day Rathfarnham was taken by storm, and all that were in it made prisoners; and though five hundred soldiers entered the castle before any officer of note, yet not one creature was killed; which I tell you by the way, to observe the difference betwixt our and the rebels making use of a victory." Carte, Letters, ii. 408.

of four hours, the English were driven back with considerable loss. The garrison, however, had expended their ammunition; they took advantage of the confusion of the enemy to depart during the darkness of the night; and the townsmen the next morning, keeping the secret, obtained from Cromwell a favourable capitulation.* This was his last exploit in Ireland. From Clonmel he was recalled to England, to undertake a service of greater importance and difficulty, to which the reader must now direct his attention.

May 10.

Proceedings in Scotland.

The young king, it will be remembered, had left the Hague on his circuitous route to Ireland, whither he had been called by the advice of Ormond and the wishes of the royalists. He was detained three months at St. Germain by the charms of a mistress or the intrigues of his courtiers, nor did he reach the island of Jersey till long after the disastrous battle of Rathmines. That event made his further progress a matter of serious discussion; and the difficulty was increased by the arrival of Wynram, of Libertoun, with addresses from the parliament and the kirk of Scotland. The first offered, on his acknowledgement of their authority as a parliament, to treat with him respecting the conditions proposed by their former commissioners: the latter, in language unceremonious and insulting, laid before him the sins of his youth; his refusal to allow the Son of God to reign over him in the pure ordinances of church government and worship; his cleaving to counsellors who never had the glory of God or the good of his people before their eyes; his admission to his person of "that fugacious man and excommunicate rebel, James Graham," and, above all, "his giving the royal power and strength to the beast," by concluding a peace "with the Irish papists, the murderers of so many protestants." They bade him remember the iniquities of his father's house, and be assured that, unless he laid aside the "service book so stuffed with Romish corruptions, for the reformation of doctrine and worship agreed upon by the divines at Westminster," and approved of the covenant in his three kingdoms, without which the people could have no security for their religion or liberty, he would find that the Lord's anger was not turned away, but that his hand was still stretched out against the royal person and family.†

1649. June.

Sep.

Oct.

* Whitelock, 449. 456. Castlehaven, 108. Ludlow, i. 265. Perfect Politician, 70.

† Clar. State Papers, iii. app. 89—92. Carte's Letters, i. 323. Whitelock,

This coarse and intemperate lecture was not calculated to make a convert of a young and spirited prince. Instead of giving an answer, he waited to ascertain the opinion of Ormond; and at last, though inclination prompted him to throw himself into the arms of his Irish adherents, he reluctantly submitted to the authority of that officer, who declared, that the only way to preserve Ireland was by provoking a war between England and Scotland.* Charles now condescended to give to the convention the title of estates of parliament, appointed Breda, a small town, the private patrimony of the prince of Orange, for the place of treaty; and met there the new commissioners, the earls of Cassilis and Lothian, with two barons, two burgesses, and three ministers. Their present scarcely differed from their former demands; nor were they less unpalatable to the king. To consent to them appeared to him an apostacy from the principles for which his father fought and died; an abandonment of the Scottish friends of his family to the mercy of his and their enemies. On the other hand, the prince of Orange importuned him to acquiesce; many of his counsellors suggested that, if he were once on the throne, he might soften and subdue the obstinacy of the Scottish parliament; and his mother, by her letters, exhorted him not to sacrifice to his feelings this his last resource, the only remaining expedient for the recovery of his three kingdoms. But the king had still another resource; he sought delays; his eyes were fixed on the efforts of his friends in the north of Scotland; and he continued to indulge a hope of being replaced without conditions on the ancient throne of his ancestors.†

Charles hesitates to accept the conditions.

1650. Jan. 11.

March 15.

While Charles was at St. Germain he had given to Montrose a commission to raise the royal standard in the highlands. That nobleman, with indefatigable industry, solicited and obtained from the several northern crowns supplies of men, money, and ammunition. In autumn, by his order, a band of exiles under the lord Kinnoul had taken possession of Kirkwall in the Orkneys. During the winter, though several of his ships perished, he succeeded in landing about one

Progress and defeat of Montrose.

1649. Oct. 14.

429. The address of the kirk was composed by Mr. Wood, and disapproved by the more moderate. Baillie, ii. 339. 345.

* Carte's Letters, i. 333. 340.

† Carte's Letters, i. 338. 365. Whitelock, 430. 446. Clar. iii. 343. 4.

hundred officers, twelve hundred stand of arms, and a considerable quantity of ammunition; and in March Montrose himself joined his companions, and led them into Caithness and Sutherland. His banner displayed a naked arm and sword, bathed in blood, and painted on a black ground; and his declaration called on all true Scotsmen to aid in establishing their king on his throne, and in saving him from the treachery of those, who, if they once had him in their power, would sell him, as they had sold his father, to the English rebels. But his name had lost that magic influence which success had formerly thrown around it. The highlanders shunned his approach through fear, or watched his progress as foes: the declaration was burnt in Edinburgh by the hand of the hangman: and four thousand regular troops marched to oppose him under the command of David Leslie. The armies met at

1650. April 17. Corbiesdale in Rosshire. The royalists, twelve hundred in number, repelled the first charge of the enemy; by the second they were broken; four hundred threw down their arms and surrendered; and the rest, almost to a man, either perished in attempting to ford the river, or were slain by the revenge of the peasantry.* Montrose himself put on the dress of a husbandman, but was betrayed

May 3. in the hut where he had sought an asylum, to Macleod, the laird of Assint. His captivity was a subject of indecent triumph to the kirk, who had excommunicated

May 18. him, and to Argyle, who, in former times, had learned to respect and fear his valour. The magistrates came to receive him at the gate of the capital. By their order the executioner placed him bareheaded and pinioned in a cart; his officers, the companions of his misfortune, twenty-three in number, were commanded to walk before him; and the procession paraded slowly through the streets to the common gaol.†

His condemnation. May 29. From his enemies Montrose could expect no mercy; but they hastened his death, that the king might not have time to intercede in his favour. When he appeared before the parliament, his features, pale and haggard, showed the fatigue and privations which he had endured: but his dress was splendid, his mien fearless,

* Of the prisoners, about one hundred, being Irishmen, were shot at a post, one of the ministers observing, "this wark gaes bonnilie on." Eighty women and children, who had followed the army of Montrose, were thrown over the bridge of Linlithgow into the river. Kirkton, p. 48. note.

† Carte's Letters, i. 345. Balfour, iii. 432. 439; iv. 8—13. Whitelock, 435. 452. 3, 4, 5. Clarendon, iii. 348—353. Laing, iii. 443.

his language calm, firm, and dignified. To the chancellor, who, in a tone of bitterness and reprobation, enumerated the offences with which he was charged, he replied that, since the king had condescended to treat with them as estates, it became not a subject to dispute their authority; but that the apostacy and rebellion with which they reproached him were, in his estimation, acts of duty. Whatever he had done, either in the last or present reign, had been done with the sanction of the sovereign. If he had formerly taken up arms, it had been to divert his countrymen from the impious war which they waged against the royal authority in England; if now, his object was to accelerate the existing negociation between them and their new king. As a Christian, he had always supported that cause which his conscience approved; as a subject, he always fought in support of his prince; and as a neighbour, he had frequently preserved the lives of those who had forfeited them against him in battle. The chancellor, in return, declared him a murderer of his fellow subjects, an enemy to the covenant and the peace of the kingdom, and an agitator, whose ambition had helped to destroy the father, and was now employed for the destruction of the son. Judgment, which had been passed in parliament some days before, was then pronounced by the dempster, that James Graham should be hanged for the space of three hours on a gibbet thirty feet high, that his head should be fixed on a spike in Edinburgh, his arms on the gates of Perth or Stirling, his legs on those of Glasgow and Aberdeen, and his body be interred by the hangman on the burrowmuir, unless he were previously released from excommunication by the kirk. During this trying scene, his enemies eagerly watched his demeanour. Twice he was heard to sigh, and his eyes occasionally wandered along the cornice of the hall. But he stood before them cool and collected: no symptom of perturbation marked his countenance, no expression of complaint or impatience escaped his lips: he showed himself superior to the insults of his enemies, and unscared by the menaces of death.

The same high tone of feeling supported the unfortunate victim to the last gasp. When the ministers admonished him that his punishment in this world was but a shadow of that which awaited him in the next, he indignantly replied, that he gloried in his fate, and only lamented that he had not limbs sufficient to furnish every city in Christendom with proofs of his loyalty. On the scaffold, he maintained the innocence of his conduct, praised the character of the present king, and appealed from the censures of the

Anddeath. May 21.

kirk to the justice of heaven. As a last disgrace, the executioner hung round his neck his late declaration, with the history of his former exploits. He smiled at the malice of his enemies, and said that they had given him a more brilliant decoration than the garter with which he had been honoured by his sovereign. Montrose, by his death, won more proselytes to the royal cause than he had ever made by his victories.*

Charles lands in Scotland. May 12.

The failure of this attempt opened the eyes of Charles to the danger which he ran of being excluded from the Scottish throne. He assured the parliament by letter that, as he had previously forbidden Montrose to proceed on his expedition, he did not regret the defeat of a man who had presumed to act in opposition to his authority;† and he submitted without reserve to the demands of the commissioners, binding himself to take the Scottish covenant, and the solemn league and covenant; to disavow and declare null the peace with the Irish, and never to permit the free exercise of the catholic religion in Ireland, or any other part of his dominions; to acknowledge the authority of all parliaments held since the commencement of the late war; and to govern in civil matters by advice of the parliament; in religious, by that of the kirk.‡ These preliminaries being settled, he embarked on board a small squadron furnished by the prince of Orange, and, after a perilous navigation of three weeks, during which he had to contend with the stormy weather and to elude the pursuit of the parliamentary cruisers, he arrived in safety in the frith of Gromartie. The king was received with the honours due to his dignity; a court with proper officers was prepared for him, and the sum of 100,000*l.* Scots, or 9000*l.* English, was voted for the monthly expense of his household. But the parliament had previously passed an act banishing from Scotland several of the royal favorites by name, and excluding the "engagers" from the verge of the court, and all employment in the state. After repeated applications

May 13.

June 2.

June 23.

* Balfour, iv. 13. 15, 16. 19—22. Clar. iii. 353—356. Whitelock, 456. Colonel Hurry, whom the reader has seen successively serving under the king and the parliament in the civil war, Spottiswood, the grandson of the archbishop of that name, Sir W. Hay, who had been forefaulted as a catholic, in 1647, Sibbald, the confidential envoy of Montrose, and several others, were beheaded. Of the common soldiers some were given to different lords to be fishermen or miners, and the rest enrolled in regiments in the French service. Balfour, iv. 18. 27, 28. 32, 33. 44.

† See Balfour, iv. 24, 25. He gives May 15th as the date of the king's letter to Montrose; but this must be a mistake; perhaps it should be Mar. 15th.

‡ Thurloe, i. 147.

the duke of Buckingham, the lord Wilmot, and a few English servants, obtained permission to remain with the king; and many of the Scottish exiles embraced the opportunity to withdraw from notice into the western isles, or the more distant parts of the country.*

Cromwell is appointed to command in Scotland.

It was the negociation between the Scots and their nominal king that arrested Cromwell in the career of victory, and called him away from the completion of his conquest. The rulers of the commonwealth were aware of the intimate connexion which the solemn league and covenant had introduced between the English presbyterians and the kirk of Scotland, whence they naturally inferred that, if the pretender to the English were once seated on the Scottish throne, their own power would be placed on a very precarious footing. From the first they had watched with jealousy the unfriendly proceeding of the Scottish parliament. Advice and persuasion had been tried, and had failed. There remained the resource of war; and war, it was hoped, would either compel the Scots to abandon the claims of Charles, or reduce Scotland to a province of the commonwealth. Fairfax, indeed, (he was supposed to be under the influence of a presbyterian wife and of the presbyterian ministers,) disapproved of the design;† but his disapprobation, though lamented in public, was privately hailed as a benefit by those who were acquainted with the aspiring designs of Cromwell, and built on his elevation the flattering hope of their own greatness. By their means, as soon as the lord lieutenant had put his troops into winter quarters, an order was obtained from parliament for him to attend his duty in the house; but he resumed his military operations, and two months were suffered to elapse before he noticed the command of the supreme authority, and condescended to make an unmeaning apology for his disobedience. On the renewal of the order, he left the command in Ireland to Ireton, and, returning to England, appeared in his seat. He was received with acclamations; the palace of St. James's was allotted for his residence, and a valuable grant of lands was voted as a reward for his eminent services. In a few days followed the appointment of Fairfax to the office of commander-in-chief, and of

1650.
Jan 8.
Jan. 29.
April 2.
May 20.
June 19.
June 14.

* Balfour, iv. 41. 60, 61. 64, 65. 67. 73. 77, 78. Whitelock, 462. Clarendon, iii. 346. 356, 7.

† Whitelock, 438.

Cromwell to that of lieutenant-general of the army designed to be employed in Scotland. Each signified his "readiness to observe the orders of the house;" but Fairfax at the same time revealed his secret and conscientious objections to the council of state. A deputation of five members, Cromwell, Lambert, Harrison, Whitelock, and St. John, waited on him at his house; the conference was opened by a solemn invocation of the Holy Spirit, and the three officers prayed in succession with most edifying fervour. Then Fairfax said that, to his mind, the invasion of Scotland appeared a violation of the solemn league and covenant, which he had sworn to observe. It was replied, that the Scots themselves had broken the league by the invasion of England under the duke of Hamilton; and that it was always lawful to prevent the hostile designs of another power. But he answered, that the Scottish parliament had given satisfaction by the punishment of the guilty; that the probability of hostile designs ought indeed to lead to measures of precaution, but that certainty was required to justify actual invasion. No impression was made on his mind; and, though Cromwell and his brother officers earnestly solicited him to comply, "there was cause enough," says one of the deputation, "to believe that they did not over much desire it."* The next day another attempt ended with as little success: the lord general, alleging the plea of infirm health and misboding conscience, sent back the last commission, and, at the request of the house, the former also; and the chief command of all the forces raised, or to be raised by order of parliament, was conferred on Oliver Cromwell. Thus this adventurer obtained at the same time the praise of moderation and the great object of his ambition. Fairfax retired to his estate in Yorkshire, where he lived with the privacy of a country gentleman, till he once more drew the sword, not in support of the commonwealth, but in favour of the king.†

June 24.

June 25.

June 26.

To a spectator who considered the preparations of the two kingdoms, there could be little doubt of the result. Cromwell had passed the Tweed at the head of sixteen thousand men, most of them vete-

He marches to Edinburgh. July 22.

* Whitelock, 460, 2. Ludlow says, "he acted his part so to the life, that I really thought him in earnest; but the consequence made it sufficiently evident that he had no such intention." i. 272. Hutchinson, who was present on one of these occasions, thought him sincere. Hutchin. 315. See note (A).

† Whitelock, 438. 450. 457. Journals, Jan. 8. Feb. 25. Mar. 30, Ap. 15. May 2. 7. 30. June 4. 12. 14. 25, 26.

rans, all habituated to military discipline, before the raw levies of the Scots had quitted their respective shires. By order of the Scottish parliament the army had been fixed at thirty thousand men; the nominal command had been given to the earl of Leven, the real, on account of the age and infirmities of that officer, to his relative, David Leslie; and instructions had been issued that the country between Berwick and the capital should be laid waste; that the cattle and provisions should be removed or destroyed; and that the inhabitants should abandon their homes under the penalties of infamy, confiscation, and death. In aid of this measure reports were industriously circulated of the cruelties exercised by Cromwell in Ireland; that wherever he came, he gave orders to put all the males between sixteen and sixty to death, to deprive all the boys between six and sixteen of their right hands, and to bore the breasts of the females with red hot irons. The English were surprised at the silence and desolation which reigned around them; the only human beings whom they met on their march through this wilderness, were a few old women and children, who on their knees solicited mercy. But Cromwell conducted them by the sea coast; the fleet daily supplied them with provisions, and their good conduct gradually dispelled the apprehensions of the natives.* They July 28. found the Scottish levies posted behind a deep entrenchment, running from Edinburgh to Leith, fortified with numerous batteries, and flanked by the cannon of the castle at one extremity, and of the harbour at the other. Cromwell employed all his art to provoke, Leslie to avoid, an engagement. It was in vain that for more than a month the former marched and countermarched; that he threatened general, and made partial, attacks. Leslie remained fixed within his lines; or, if he occasionally moved, watched the motions of the enemy from the nearest mountains; or interposed a river or morass between the two armies. The English began to be exhausted with fatigue; sickness thinned their ranks; the arrival of provisions depended on the winds and waves; and Cromwell was taught to fear, not the valour of the enemy, but the prudence of their general.†

* Whitelock, 465, 466. 468. Perfect Diurnal, No. 324. See the three declarations: that of the parliament on the marching of the army itself, addressed "to all that are saints and partakers of the faith of "God's elect in Scotland;" and the third from Cromwell, dated at Berwick, in the Parliamentary History, xix. 276. 298. 310.

† Balfour, iv. 87, 88. 90. Whitelock, 467, 8.

Proceedings of the Scottish kirk.

The reader will already have observed how much at this period the exercises of religion were mixed up with the concerns of state and even the operations of war. Both parties equally believed that the result of the expedition depended on the will of the Almighty, and that it was, therefore, their duty to propitiate his anger by fasting and humiliation. In the English army the officers prayed and preached; they "sanctified the camp," and exhorted the men to unity of mind and godliness of life. Among the Scots this duty was discharged by the minister; and so fervent was their piety, so merciless their zeal, that, in addition to their prayers, they occasionally compelled the young king to listen to six long sermons on the same day, assuming an air of gravity, and displaying feelings of devotion which ill accorded with his real disposition. But the English had no national crime to deplore; by punishing the late king *they* had atoned for the evils of the civil war: the Scots, on the contrary, had adopted his son without any real proof of his conversion, and therefore feared that they might draw down on the country the punishment due to his sins and those of his family. It

July 29. happened that Charles, by the advice of the earl of Eglington, presumed to visit the army. He was received with shouts of enthusiasm by the soldiers, who on their knees pledged the health of their young sovereign; but the committee of the kirk complained that his presence led to ebriety and profaneness, and he received a re-

Aug. 2. Aug. 3. quest equivalent to a command to quit the camp. The next day a declaration was made, that the company of malignants, engagers, and enemies to the covenant, could not fail of multiplying the judgments of God upon the land; an inquiry was then instituted into the characters of

Aug. 5. numerous individuals, and eighty officers, with many of their men, were cashiered, that they might not contaminate by their presence the army of the saints.* Still

Aug. 9. it was for Charles Stuart, the chief of the malignants, that they were to fight, and therefore from him, to appease the anger of the Almighty, an expiatory declaration was required in the name of the parliament and the kirk.

Expiatory declaration required from Charles.

In this instrument he was called upon to lament, in the language of penitence and self-abasement, his father's opposition to the work of God and the solemn league and covenant, which had caused the blood of the Lord's people to be shed, and the ido-

* Balfour, iv. 86. 89.

latry of his mother, the toleration of which in the king's house could not fail to be a high provocation against Him, who is a jealous God, visiting the sins of the fathers upon the children; to declare that he had subscribed the covenant with sincerity of heart, and would have neither friends nor enemies but those who were friends or enemies to it; to acknowledge the sinfulness of the treaty with the bloody rebels in Ireland, which he was made to pronounce null and void; to detest popery and prelacy; idolatry and heresy, schism and profaneness; and to promise that he would accord to a free parliament in England the propositions of the two kingdoms, and reform the church of England according to the plan devised by the assembly of divines at Westminster.*

When first this declaration, so humbling to his pride, so offensive to his feelings, was presented to Charles for his signature, he returned an indignant refusal: a little reflection induced him to solicit the advice of the council, and the opinion of the principal ministers. But the godly refused to wait; the two committees of the kirk and kingdom protested that they disowned the quarrel and interest of every malignant party, disclaimed the guilt of the king and his house, and would never prosecute his interest without his acknowledgment of the sins of his family and of his former ways, and his promise of giving satisfaction to God's people in both kingdoms. This protestation was printed and furtively sent to the English camp; the officers of the army presented to the committee of estates a remonstrance and supplication expressive of their adhesion; and the ministers maintained from their pulpits that the king was the root of malignancy, and a hypocrite, who had taken the covenant without an intention to keep it. Charles, yielding to his own fears, and the advice of his friends, at the end of three days subscribed, with tears, the obnoxious instrument. If it were folly in the Scots to propose to the young prince a declaration so repugnant to his feelings and opinions, it was greater folly still to believe that professions of repentance extorted with so much violence could be sincere or satisfactory; yet his subscription was received with expressions of joy and gratitude; both the

He refuses, and then assents. Aug. 10. Aug. 13. Aug. 14. Aug. 15. Aug. 16.

* Balfour, iv. 92. Whitelock, 469. "A declaration by the king's majesty to his subjects of the kingdoms of Scotland, England, and Ireland." Printed, 1650.

army and city observed a solemn fast for the sins of the two kings, the father and the son; and the ministers, now that the anger of heaven had been appeased, assured their hearers of an easy victory over a "blaspheming general and a sectarian army."*

Battle of Dunbar.

If their predictions were not verified, the fault was undoubtedly their own. The caution and vigilance of Leslie had triumphed over the skill and activity of his adversary. Cromwell saw no alternative but victory or retreat; of the first he had no doubt, if he could come into contact with the enemy: the second was a

Aug. 30.

perilous attempt, when the passes before him were pre-occupied, and a more numerous force was hanging on his rear. At Musselburg, having sent the sick on board the fleet, he ordered the army to march the next morning to Haddington, and thence to Dunbar; and the same night a meteor, which the imagination of the beholders likened to a sword of fire, was seen to pass over Edinburgh in a south-easterly direction, an evident presage, in the opinion of the Scots, that the flames of war would be transferred to the re-

Sep. 2.

motest extremity of England.† At Dunbar, Cromwell drew up his men in the vicinity of Broxmouth-house; Leslie occupied with the Scots the heights of Lammermuir, and a ravine of the depth and breadth of thirty feet separated the advanced posts of the two armies. But here the committees of the estates and the kirk afraid that the enemy should escape, compelled their general to depart from his usual caution, and to make preparation for battle. Cromwell, with his officers, had spent part of the day in calling upon the Lord: while he prayed the enthusiast felt an enlargement of the heart, a buoyancy of spirit, which he took for an infallible presage of victory; and, beholding through his glass the motion in the Scottish camp, he exclaimed, "they are coming down:

Sep. 3.

the Lord hath delivered them into our hands."‡ During the night, he advanced the army to the

* Balfour, iv. 91, 92. 95. The English parliament in their answer exclaim: "What a blessed and hopeful change is wrought in a moment in this young king! How hearty is he become to the cause of God and the work of reformation! How readily doth he swallow down these bitter pills, which are prepared for and urged upon him, as necessary to effect that desperate cure under which his affairs lie! But who sees not the gross hypocrisy of this whole transaction, and the sandy and rotten foundation of all the resolutions flowing hereupon?" See Parliamentary History, xix. 359—386.

† Balfour, iv. 94.

‡ Sagredo, the Venetian ambassador, in his relation to the senate, says that Cromwell pretended to have been assured of the victory by a supernatural voice. "Prima che venisse alla battaglia, diede cuore ai soldati con

edge of the ravine; and at an early hour in the morning the Scots attempted to seize a pass on the road from Dunbar to Berwick. After a sharp contest the Scottish lancers, aided by their artillery, charged down the hill, drove the brigade of English cavalry from its position, and broke through the infantry, which had advanced to the support of the horse. Cromwell, turning to his own regiment of foot, exclaimed: "let the Lord arise and scatter his enemies." They instantly moved forward with their pikes levelled; the horse rallied, and the enemy's lancers hesitated, broke, and fled. At that moment the mist dispersed, and the first spectacle which struck the eyes of the Scots, was the rout of their cavalry. A sudden panic instantly spread from the right to the left of their line; at the approach of the English they threw down their arms and ran: the pursuit was continued for more than eight miles: the dead bodies of three thousand Scots strewed their native soil, and ten thousand prisoners, with the artillery, ammunition, and baggage, became the reward of the conquerors.*

Progress of Cromwell.

Cromwell now thought no more of his retreat. He marched back to the capital: the hope of resistance was abandoned; Edinburgh and Leith opened their gates, and the whole country to the Forth submitted to the will of the English general. Still the presumption of the six ministers, who formed the committee of the kirk, was not humbled. Though their predictions had been falsified, they were still the depositaries of the secrets of the Deity; and, in a "Short Declaration and Warning," they announced to their countrymen the thirteen causes of this national calamity. It was by the general profaneness of the land, by the manifest provocations of the king and the king's house, by the crooked and precipitant ways of statesmen in the treaty of Breda, by the toleration of malignants in the king's household, by suffering his guard to join in the battle without a previous purgation, by the diffidence of some officers who refused to profit by advantages furnished them by God, by the presumption of others who promised victory to themselves without eying of God, by the rapacity and op-

Sep. 12.

assicurargli la vittoria predettagli da Dio, con una voce, che lo aveva a mezza notte riscesso dal sonno." MS. copy in my possession.

* Carte's Letters, i. 381. Whitelock, 470, 471. Ludlow, i. 283. Balfour, iv. 97. Several proceedings, No. 50. Parl. Hist. xix. 343—352. 478. Of the prisoners, five thousand one hundred, something more than one half, being wounded, were dismissed to their homes, the other half were driven "like turkies" into England. Of these, one thousand six hundred had died of a pestilential disease, and five hundred were actually sick on Oct. 31. Whitelock, 471. Old Parl. Hist. xix. 417.

pression exercised by the soldiery, and by the carnal self-seeking of men in power, that God had been provoked to visit his people with so direful and yet so merited a chastisement.*

The king escapes and is taken.

To the young king the defeat at Dunbar was a subject of real and ill-dissembled joy. Hitherto he had been a mere puppet in the hands of Argyle and his party; now their power was broken, and it was not impossible for him to gain the ascendancy. He entered into a negociation with Murrey, Huntley, Athol, and
Sep. 27. the numerous royalists in the highlands: but the secret, without the particulars, was betrayed to Argyle, probably by Buckingham, who disapproved of the project; and all the cavaliers but three received an order to leave the court in twenty-four hours—the kingdom in twenty days.
Oct. 4. The vigilance of the guards prevented the execution of the plan which had been laid: but one afternoon, under pretence of hawking, Charles escaped from Perth, and
Oct. 5. riding forty-two miles, passed the night in a miserable hovel, called Clova, in the highlands. At break of day he was overtaken by colonel Montgomery, who advised him to return, while the viscount Dudhope urged him to proceed to the mountains, where he would be joined by seven thousand armed men. Charles wavered; but Montgomery directed his attention to two regiments of horse that waited at a distance, and the royal fugitive consented to return to his former residence in Perth.†

The start (so this adventure was called), proved, however, a warning to the committee of estates. They prudently admitted the king's apology, that he had been deceived by information that he was that day to have been delivered to Cromwell; they allowed him, for the first time, to preside
Oct. 10. at their deliberations; and they employed his au-
Oct. 12. thority to pacify the royalists in the highlands, who had taken arms in his name under Huntley, Athol,
Nov. 4. Seaforth, and Middleton. These, after a long negociation, accepted an act of indemnity, and disbanded their forces.‡

* Balfour, iv. 98—107.

† Balfour, iv. 109. 113, 114. Baillie, ii. 356. Whitelock, 476. Miscellanea Aulica, 152. It seems probable from some letters published in the correspondence of Mr. Secretary Nicholas, that Charles had planned his escape from the "villany and hypocrisy" of the party, as early as the day of the battle of Dunbar. Evelyn's Mem. v. 181—186. octavo.

‡ Balfour, iv. 118. 123. 129—135. 160. Baillie, ii. 356. A minister, James

In the meanwhile Cromwell in his quarters at Edinburgh laboured to unite the character of the saint with that of the conqueror; and, surrounded as he was with the splendour of victory, to surprise the world by a display of modesty and self-abasement. To his friends and flatterers, who fed his vanity by warning him to be on his guard against its suggestions, he replied, that he was but a feeble instrument in the hands of Almighty Power; if God had risen in his wrath, if he had bared his arm, and avenged his cause, to him, and to him alone, belonged the glory.* Assuming the office of a missionary, he exhorted his officers in daily sermons to love one another, to repent from dead works, and to pray and mourn for the blindness of their Scottish adversaries; and, pretending to avail himself of his present leisure, he provoked a theological controversy with the ministers in the castle of Edinburgh, reproaching them with pride in arrogating of themselves the right of expounding the true sense of the solemn league and covenant; vindicating the claim of laymen to preach the gospel and exhibit their spiritual gifts for the edification of their brethren; and maintaining that, after the solemn fast observed by both nations, after their many and earnest appeals to the God of armies, the victory gained at Dunbar must be admitted as an evident manifestation of the divine will in favour of the English commonwealth. Finding that he made no proselytes of his opponents, he published his arguments for the instruction of the Scottish people; but his zeal did not escape suspicion; and the more discerning believed that, under the cover of a religious controversy, he was in reality employed in tampering with the fidelity of the governor.† The godliness of Cromwell.

In a short time his attention was withdrawn to a more important controversy, which ultimately spread the flames of religious discord throughout the nation. There had all along existed a number of Scots who approved of the execution of the late king, and condemned even the nominal authority given to his son. Of these men, formidable by their talents, still more formidable by their fanaticism, the leaders were Wariston, the clerk register in the parliament, and Gillespie and Guthrie, two ministers in the kirk. In parliament Dissensions among the Scots.

Guthrie, in defiance of the committee of estates, excommunicated Middleton; and such was the power of the kirk, that even when the king's party was superior, Middleton was compelled to do penance in sackcloth in the church of Dundee, before he could obtain absolution, preparatory to his taking a command in the army. Baillie, 357. Balfour, 240.

* See a number of letters in Milton's State Papers, 18—35.

† Thurloe i. 158—163.

the party, though too weak to control, was sufficiently strong to embarrass, and occasionally to influence, the proceedings; in the kirk it formed indeed the minority, but a minority too bold and too numerous to be rashly irritated, or incautiously despised.* After the defeat at Dunbar permission was cheerfully granted by the committee of estates for a levy of troops in the associated counties of Renfrew, Ayr, Galloway, Wigton, and Dumfries, that part of Scotland where fanaticism had long fermented, and the most rigid notions prevailed. The crusade was preached by Gillespie; his efforts were successfully seconded by the other ministers, and in a short time four regiments of horse, amounting almost to five thousand men, were raised under Strachan, Kerr, and two other colonels. The real design now began to unfold itself. First, the officers refused to serve under Leslie; and the parliament exempted them from his authority. Next, they hinted doubts of the lawfulness of the war in which they were engaged, and Cromwell, in whose army Strachan had fought at Preston, immediately opened a correspondence with him.† Then came the accident of "the start," which embittered and emboldened the zeal of the fanatics; and in a long remonstrance, subscribed by ministers and elders, by officers and soldiers, and presented in their name to Charles and the committee of estates, they pronounced the treaty with the king unlawful and sinful, disowned his interest in the quarrel with the enemy, and charged the leading men in the nation with the guilt of the war, which they had provoked by their intention of invading England. The intemperate tone and disloyal tendency of this paper provoked at Perth irritation and alarm; and induced Cromwell to advance with his army from Edinburgh to Glasgow. But the western forces (so they were called) withdrew to Dumfries, where a meeting was held with Wariston, and a new draught of the remonstrance, in language still more energetic and vituperative, was adopted. On the return of Cromwell to the capital, his negociation with the officers was resumed, while Argyle and his friends laboured on the opposite side to mollify the obstinacy of the fanatics. But reasoning was found useless; the parliament condemned the remonstrance as a scandalous and seditious libel; and, since Strachan

Oct. 4.
Oct. 17.
Oct. 22.
Oct. 30.
Nov. 55.
Nov. 28.

* Baillie, ii. 353.

† Baillie, ii. 350—352. Strachan was willing to give assurance not to molest England in the king's quarrel. Cromwell insisted that Charles should be banished by act of parliament, or imprisoned for life. Ib. 352.

had resigned his commission, ordered Montgomery with three new regiments to take the command of the whole force. Kerr, however, before his arrival, had led the western levy to attack Lambert in his quarters at Hamilton; he was taken prisoner, designedly, if we may believe report, and his whole army was dispersed. Soon afterwards Strachan, with sixty troopers, passed over to Lambert, and the associated counties, left without defence, submitted to the enemy. Still the framers and advocates of the remonstrance, though they knew that it had been condemned by the state and the kirk, though they had no longer an army to draw the sword in its support, adhered pertinaciously to its principles; the unity of the Scottish church was rent in twain, and the separation was afterwards widened by a resolution of the assembly, that in such a crisis all Scotsmen might be employed in the service of the country.* Even their common misfortunes failed to reconcile these exasperated spirits. While they smarted under the yoke of civil servitude, the two parties still continued to persecute each other with all the obstinacy and bitterness of religious warfare. The royalists obtained the name of public resolutioners; their opponents, of protestors or remonstrants.† Dec. 1. Dec. 14.

Though it cost the young prince many an internal struggle, yet experience had taught him that he must soothe the religious prejudices of the kirk, if he hoped ever to acquire the preponderance in the state. On the first day of the new year, he rode in procession to the church of Scone, where his ancestors had been accustomed to receive the Scottish crown: there on his knees, with his arm upraised, he swore by the Eternal and Almighty God to observe the two covenants; to establish the presbyterial government in Scotland and in his family; to give his assent to acts for establishing it in his other dominions; to rule according to the law of God, and the loveable laws of the land; to abolish and withstand all false religions; and to root out all heretics and enemies of the true worship of God, convicted by the true church of God. Argyle then placed the crown upon his head, and seated him on the throne, and both nobility and people swore allegiance to Coronation of Charles. 1651. Jan. 1.

* With the exception of persons "excommunicated, forfeited, notoriously profane, or flagitious, and professed enemies and opposers of the covenant and cause of God." Wodrow Introd. iii.

† Baillie, ii. 348. 354—364. Balfour, iv. 136. 141—160. 173—178. 187. 189. Whitelock, 475, 6, 7. 484. Sydney Papers, ii. 679. Burnet's Hamiltons, 426.

him "according to the national covenant, and the solemn league and covenant." At the commencement, during the ceremony, and after the conclusion, Douglas, the minister, addressed the king, reminding him that he was king by compact with his people; that his authority was limited by the law of God, the laws of the people, and the association of the estates with him in the government; that, though every breach did not dissolve the compact, yet every abuse of power to the subversion of religion, law, or liberty, justified opposition in the people; that it was for him, by his observance of the covenant, to silence those who doubted his sincerity; that the evils which had afflicted his family arose out of the apostacy of his father and grandfather; and that, if he imitated them, he would find that the controversy between him and God was not ended, but would be productive of additional calamities. The reader may imagine what were the feelings of Charles while he listened to the admonitions of the preacher, and when he swore to perform conditions which his soul abhorred, and which he knew that on the first opportunity he should break or elude.* But he passed with credit through the ceremony; the coronation exalted him in the eyes of the people, and each day brought to him fresh accessions of influence and authority. The kirk delivered Strachan as a traitor and apostate to the devil; and the parliament forefaulted his associates, of whom several hastened to make their peace by a solemn recantation. Deprived of their support, the Campbells gradually yielded to the superior influence of the Hamiltons. Vexation, indeed, urged them to reproach the king with inconstancy and ingratitude; but Charles, while he employed every art to lull the jealousy of Argyle, steadily pursued his purpose; his friends, by submitting to the humbling ceremony of public penance, satisfied the severity of the kirk; and, by the repeal of the act of classes, they were released from all previous forfeitures and disqualifications. In April the king, with Leslie and Middleton as his lieutenants, took the command of the army, which had been raised by new levies to twenty thousand men, and, having fortified the passages of the Forth, awaited on the left bank the motions of the enemy.†

May 21.

* See the form and order of the coronation of Charles II., as it was acted and done at Scoune, the first day of January, 1651. Aberdeen, 1651.

† Carte, Letters, ii. 26, 27. Balfour, iv. 240. 268. 281. 301. It appears from this writer that a great number of the colonels of regiments were royalists or engagers (p. 210. 13). The six brigades of horse seem to have been divided equally between old covenanters and royalists. The seventh was

In the mean while Cromwell had obtained possession of the castle of Edinburgh by the perfidy or the timidity of the governor. Tantallon had been taken by storm, and Dunbarton had been attempted, but its defences were too strong to be carried by force, and its garrison too honest to be corrupted with money.* In February the lord general was afflicted with an ague, so ruinous to his health, and so obstinate in its duration, that in May he obtained permission to return to England, with the power of disposing, according to his judgment, of the chief command.† A rapid and unexpected improvement induced him to remain; and in July he marched with his army towards Sterling. The Scots faced him in their entrenched camp at Torwood; he turned aside to Glasgow. they took a position at Kilsyth; he marched back to Falkirk; and they resumed their position at Torwood. While by these movements the English general occupied the attention of his opponents, a fleet of boats had been silently prepared and brought to the Queensferry; a body of men crossed the frith, and fortified a hill near Innerkething; and Lambert immediately followed with a more numerous division. The Scots despatched Holburn with orders to drive the enemy into the sea; he was himself charged by Lambert with a superior force, and the flight of his men gave to the English possession of the fertile and populous country of Fife. Cromwell hastened to transport his army to the left bank of the river, and advance on the rear of the Scots. They retired: Perth, the seat of government, was besieged; and in a few days the colours of the commonwealth floated on its walls.‡

Cromwell lands in Fife. Dec. 19. 1651. Feb. 21. April 20. May 27. July 3. July 13. July 17. July 21. Aug. 2.

not given to any general, but would be commanded by Hamilton, as the eldest colonel (Ib. 299—301). It is, therefore, plain that, with the king for commander-in-chief, the royalists had the complete ascendancy.

* Balfour, iv. 229. 249. 296. Baillie, ii. 368.

† The council had sent two physicians to attend him. His answer to Bradshaw of March 24th, runs in his usual stile. "Indeed, my lord, your service needs not me. I am a poor creature, and have been a dry bone, and am still an unprofitable servant to my master and to you." New Parl. Hist. iii. 1363.

‡ Balfour, 313. Journals, May 27. Leicester's Journal, 109. Whitelock, 490. 494. 497, 8, 9. Heath, 392, 393. According to Balfour, the loss on each side was "almost alyke," about 800 men killed: according to Lambert, the Scots lost two thousand killed, and fourteen hundred taken prisoners, the English had only eight men slain: "so easy did the Lord grant them that mercy." Whitelock. 501. I observe that in all the despatches of the commanders for the commonwealth their loss is most miraculously small.

Charles marches into England.

In the Scottish leaders the progress of the English excited the most fearful anticipations; to Charles it suggested the execution of what had long been his favourite object. The country to the south was

July 30.

clear of the enemy; and a proclamation to the army announced his resolve of marching into England, accompanied by such of his Scottish subjects as were willing to share the fortunes and the perils of their sovereign. The boldness of the attempt dazzled the judgment of some; and the confidence of the young king dispelled the apprehensions of others. Their knowledge that, in case of failure, he must expect to meet with the same fate as his father, justified a persuasion that he possessed secret assurances of a powerful co-operation from the royalists and the presbyterians of England. Argyle (nor was it surprising after the decline of his influence at court) solicited and obtained permission to retire to his own home; a few other chieftains followed his ex-

July 31.

ample; the rest expressed their readiness to stake their lives on the issue of the attempt, and the next morning eleven, some say fourteen, thousand men began their march from Stirling, in the direction of Carlisle.*

Cromwell was surprised and embarrassed. The Scots had gained three days' march in advance, and his army was unprepared to follow them at a moment's notice. He

Aug 4.

wrote to the parliament to rely on his industry and

Aug. 5.

despatch; he sent Lambert from Fifeshire with

Aug. 7.

three thousand cavalry to hang on the rear, and ordered Harrison with an equal number from Newcastle, to press on the flank of the enemy; and on the seventh day led his army of ten thousand men by the eastern coast, in the direction of York. The reduction of Scotland, a more easy task after the departure of the royal forces, was left to the vigilance of Monk, who had five thousand infantry and cavalry under his command.†

So rapid was the advance of Charles, that he traversed the lowlands of Scotland, and the northern countries of England, without meeting a single foe. Lambert had joined Harrison near Warrington: their united forces amounted to nine thou-

Aug. 16.

sand men; and their object was to prevent the passage of the Mersey. But they arrived too late to break down the bridge; and, after a few charges, formed in battle array on Knutsfordheath. The king, leaving them on

* Leicester's Journal, 110. Whitelock, 501. Clarendon, iii. 397.
† Leicester's Journal, iii. 117. Balfour, iv. 314.

the left, pushed forward till he reached Worcester, where he was solemnly proclaimed by the mayor, amidst the loud acclamations of the gentlemen of the county, who, under a suspicion of their loyalty, had been confined in that city by order of the council.* Aug. 22.

At the first news of the royal march, the leaders at Westminster abandoned themselves to despair. They believed that Cromwell had come to a private understanding with the king; that the Scots would meet with no opposition in their progress; and that the cavaliers would rise simultaneously in every part of the kingdom.† From these terrors they were relieved by the arrival of despatches from the general, and by the observation that the royalists, unprepared for the event, had hitherto made no movement; and with the revival of their hopes the council assumed a tone of defiance, which was supported by measures the most active and energetic. The declaration of Charles, containing a general pardon to all his subjects, with the exception of Cromwell, Bradshaw, and Cook, was burnt in London by the hands of the hangman; and a counter-proclamation was published, pronouncing Charles Stuart, his aiders and abettors, guilty of high treason. All correspondence with him was forbidden under the penalty of death; all persons known or suspected of attachment to his cause were placed in custody, or confined to their own houses; and the militia of several counties, "tried and godly people," were called forth, and marched towards the expected scene of action.‡ But Charles had to contend, not only with the activity of his enemies, but with the fanaticism of his followers. The presbyterians of Lancashire had promised to rise, and Massey, a distinguished officer of that persuasion, was sent before to organize the levy; but the committee of the kirk forbad him to employ any man who had not taken the covenant, and, though Charles annulled their order, the English ministers insisted that it should be obeyed. Massey remained after the army had passed, and was joined by the earl of Derby, with sixty horse and two hundred and sixty foot, from the Isle of Man. A conference was held at Wigan, but reasoning and entreaty were employed in vain: the ministers insisted that all the catholics, who had been enrolled should be dismissed; and that the salvation of the kingdom should be intrusted to the elect of God, who had taken the covenant.

Defeat of the earl of Derby.

Aug. 11.

Aug. 25.

Aug. 17.

* Leicester's Journal, 113, 114. Whitelock, 502. 3. Clarendon, iii. 402.
† Hutchinson, 326.
‡ Journals, Aug. 12.

In the mean while Cromwell had despatched Colonel Lilburn, with his regiment of horse, into the county, and ordered reinforcements to join him from Yorkshire and Cheshire. Derby, with the concurrence of the royalists in Manchester, undertook to surprise Lilburn in his quarters near that town, but was himself suprised by Lilburn, who marched on the same day to observe the earl's motions. They met unexpectedly in the lane leading from Manchester to Wigan. The heads of the opposite columns repeatedly charged each other; but the desperate courage of the cavaliers was foiled by the steadiness and discipline of their opponents; the lord Widrington, sir Thomas Tildesly, colonel Throckmorton, Boynton, Trollop, and above sixty of their followers were slain, and above three hundred privates made prisoners. The earl himself, who had received several slight wounds on the arms and shoulders, fled to Wigan with the enemy at his heels. Observing a house open, he flung himself from his horse and sprung into the passage. A female barred the door behind him; the pursuers were checked for an instant; and when they began to search the house, he had already escaped through the garden. Weak with fatigue and the loss of blood, he wandered in a southerly direction, concealing himself by day, and travelling by night, till he found a secure asylum in a retired mansion, called Boscobel-house, situated between Brewood and Tong castle, and the property of Mr. Giffard, a recusant and royalist. There he was received and secreted by William Penderel and his wife, the servants entrusted with the care of the mansion; and, having recovered his strength, was conducted by the former towards the royal army at Worcester.*

Aug. 25.

Aug. 29.

The occurrences of each day added to the disappointments of Charles and the confidence of his enemies. He had summoned by proclamation all his male subjects between the ages of sixteen and sixty to join his standard at the general muster of his forces, on the 26th of August, in the Pitchcroft, the meadows between the city and the river. A few of the neighbouring gentlemen with their tenants, not two hundred in number, obeyed the call;† and it was found that

Battle of Worcester.

Aug. 23.

Aug. 26.

* Whitelock, 503, 4. Clarendon, iii. 399. 403. Memoirs of the Stanleys, 112—114. Journals, Aug. 29. Leicester's Journal, 116. Boscobel, 6—8, reprint of 1822; and the account published by parliament.

† They were lord Talbot, son to the earl of Shrewsbury, "with about sixty horse; Mr. Mervin Touchet, Sir John Packington, Sir Walter Blount, Sir Ralph Clare, Mr. Ralph Sheldon of Beoly, Mr. John Washburn of Wichinford, with forty horse, Mr. Thomas Hornyhold of Blackmore-park, with

the whole amount of his force did not exceed twelve thousand men, of whom one sixth part only was composed of Englishmen. But while a few straggling royalists thus stole into his quarters, as if it were to display by their paucity the hopelessness of his cause, the daily arrival of hostile reinforcements swelled the army in the neighbourhood to more than thirty thousand men. At length Cromwell arrived, and was received with enthusiasm. Lambert immediately attacked and carried the bridge over the Severn at Upton; and in the action Massey, the most eminent of the royal generals, unfortunately received a wound, which deprived the army of his services. A succession of partial but obstinate actions alternately raised and depressed the hopes of the two parties: the grand attempt was reserved by the lord general for his auspicious day, the 3d of September, on which twelve months before he had defeated the Scots at Dunbar. On that morning Fleetwood, who had advanced from Upton to Powick, was ordered to force the passage of the Team, while Cromwell, to preserve the communication, threw a bridge of boats across the Severn at Bunshill, near the confluence of the two rivers. About one in the afternoon, while Charles with his staff observed from the tower of the cathedral the positions of the enemy, his attention was drawn by a discharge of musketry near Powick. He descended immediately, rode to the scene of action, and ordered Montgomery with a brigade of horse and foot to defend the line of the Team, and oppose the formation of the bridge. After a long and sanguinary struggle, Fleetwood effected a passage just at the moment when Cromwell, having completed the work, moved four regiments to his assistance. The Scots, though urged by superior numbers, maintained the most obstinate resistance; they disputed every field and hedge, repeatedly charged with the pike to check the advance of the enemy; and, animated by the shouts of the combatants on the opposite bank, sought to protract the contest with the vain hope that, by occupying the forces of Fleetwood, they might ensure the victory to their friends, who were engaged with Cromwell.

Aug. 28.

Sep. 3.

That commander, as soon as he had secured the communication across the river, ordered a battery of heavy guns to play upon Fort Royal, a work lately raised to cover the Sidbury gate of the city, and

Defeat of the royalists.

forty-horse, M. Thomas Aston, Mr. Robert Blount of Kenswick, Mr. Robert Wigmore of Lucton, Mr. F. Knotsford, Mr. Peter Blout, and divers others." Bancroft, 10.

led his troops in two divisions to Perry-wood and Red-hill. To Charles this seemed a favourable opportunity of defeating one half of the hostile force, while the other half was separated from it by the Severn. Leading out the whole of his disposable infantry, with the duke of Hamilton's troop of horse, and the English volunteers, he marched to attack the enemy in their position, and fought at the head of the highlanders with a spirit worthy of a prince who staked his life for the acquisition of a crown. Fortune smiled on his first efforts. The militia regiments shrunk from the shock, and the guns of the enemy became the prize of the assailants. But Cromwell had placed some veteran batallions in reserve. They restored the battle; and the royalists, in their turn, began to retreat. Still they remained unbroken, availing themselves of every advantage of the ground to check the enemy, and anxiously expecting the aid of their cavalry under Leslie, which had remained in the city. From what cause it happened is unknown; but that officer did not appear on the field till the battle was lost, and the infantry, unable to resist the superior pressure of the enemy, was fleeing in confusion to the gate under the shelter of the fort. The fugitives rallied in Friar-street, and Charles, riding among them, endeavoured by his words and gestures to re-animate their courage. Instead of a reply, they hung down their heads, or threw away their arms. "Then shoot me dead," exclaimed the distressed prince, "rather than let me live to see the sad consequences of this day." But his despair was as unavailing as had been his entreaties; and his friends admonished him to provide for his safety, for the enemy had already penetrated within the walls.

The king escapes.

We left Fleetwood on the right bank pushing the Scots slowly before him. At length they abandoned the hope of resistance: their flight opened to him the way to St. John's, and its timid commander yielded at the first summons. On the other bank, Cromwell stormed the fort, put its defenders to the sword, and turned the guns upon the city. Within the walls irremediable confusion prevailed, and the enemy began to pour in by the quay, the castle hill, and the Sidbury-gate. Charles had not a moment to spare. Placing himself in the midst of the Scottish cavalry, he took the northern road by the gate of St. Martin's, while a few devoted spirits, with such troopers as dared to follow them, charged down Sidbury-street in the contrary direction.*

* These were the earl of Cleveland, Sir James Hamilton, colonel Careless, and captains Hornybold, Giffard, and Kemble. Boscobel, 20.

They accomplished their purpose. The royal party cleared the walls, while *they* arrested the advance, and distracted the attention of the enemy. It was past the hour of sunset: and before dark all resistance ceased. Colonel Drummond surrendered the castle hill on conditions; the infantry in the street were killed or led prisoners to the cathedral; and the city was abandoned during the obscurity of the night to the licentious passions of the victors.*

In this disastrous battle the slain on the part of the royalists amounted to three thousand men, the taken to a still greater number. The cavalry which escaped, broke into separate bodies; and so depressed was their courage, so bewildered were their counsels, that they successively surrendered to smaller parties of their pursuers. Many officers of distinction attempted, single and disguised, to steal their way through the country; but of these the Scots were universally betrayed by their accent, the English, for the most part, effected their escape.† The duke of Hamilton had been mortally wounded on the field of battle: the earls of Derby, Rothes, Cleveland, Kelly, and Lauderdale; the lords Sinclair, Kenmure, and Grandison; and the generals Lesley, Massey, Middleton, and Montgomery were made prisoners, at different times and in separate places. But the most interesting inquiry regarded the fortune of the young king. Though the parliament offered a reward of 1,000*l.* for his person, and denounced the penalties of treason against those who should afford him shelter; though parties of

Loss of the royalists.

Sep. 10.

* See Blount, Boscobel, 14—22. Whitelock, 507, 8. Bates, part ii. 221. Parl. Hist. xx. 40, 44—55. Ludlow, i. 314. Nothing can be more incorrect than Clarendon's account of this battle, iii. 409. Even Cromwell owns that "it was as stiff a contest for four or five hours as ever he had seen." Parl. Hist. xx. 44.

† Thus the duke of Buckingham was conducted by one Matthews, a carpenter, to Bilstrop, and thence to Brooksby, the seat of Lady Williers, in Leicestershire; lord Talbot reached his father's house at Longford, in time to conceal himself in a close place in one of the out-houses. His pursuers found his horse yet saddled, and searched for him during four or five days in vain. May was hidden 21 days in a hay mow, belonging to Bold, a husbandman, at Chessardine, during all which time a party of soldiers was quartered in the house. Boscobel, 35—37. Of the prisoners, eight suffered death by judgment of a court-martial sitting at Chester. One of these was the gallant earl of Derby, who pleaded that quarter had been granted him by captain Edge, and quarter ought to be respected by a court-martial. It was answered that quarter could be granted to enemies only, not to traitors. He offered to surrender his Isle of Man in exchange for his life, and petitioned for "his grace, the lord general's, and the parliament's mercy." But his petition was not delivered by Lenthall before it was too late. It was read in the house on the eve of his death, at Bolton, in Lancashire, Oct. 15, 1651. State Trials, v. 294. Heath, 302. Leicester's Journal, 121. Journal, Oct. 14.

horse and foot scoured the adjacent counties in search of so valuable a prize; though the magistrates received orders to arrest every unknown person, and to keep a strict watch on the sea-ports and their neighbourhood, yet no trace of his flight, no clew to his retreat, could be discovered. Week after week passed away; of almost every other individual of note the fate was ascertained; that of Charles Stuart remained an impenetrable mystery. At last, when a belief prevailed, both among his friends and foes, that he had met with death from the peasantry, ignorant of his person and quality, the intelligence arrived, that on the 17th of October, forty-four days after the battle, he had landed in safety at Fecamp on the coast of Normandy.

Adventures of the king.

The narrative of his adventures during this period of suspense and distress exhibits striking instances of hair-breadth escapes on the part of the king, and of unshaken fidelity on that of his adherents. During the night after the battle he found himself in the midst of the Scottish cavalry, a body of men too numerous to elude pursuit, and too dispirited to repel an enemy. Under cover of the darkness he separated from them with about sixty horse: the earl of Derby recommended to him, from his own experience, the house at Boscobel as a secure retreat; and Charles Giffard under took, with the aid of his servant Yates, to conduct him to Whiteladies, another house belonging to the family, and not far distant from Boscobel. At an early hour in the morning, after a ride of five-and-twenty miles, they reached Whiteladies; and while the others enjoyed a short repose from their fatigue, the king withdrew to an inner apartment, to prepare himself for the character which it was meant he should assume. His hair was cut close to the head, his hands and face were discoloured, his clothes were exchanged for the coarse and threadbare garments of a labourer, and a heavy wood-bill in his hand announced his pretended employment. At sunrise the few admitted to the secret took their leave of him with tears, and, summoning their companions on horseback, rode away, they scarcely knew whither, but with the cheering hope that they should draw the attention of the enemy from the retreat of the king to the pursuit of themselves. In less than an hour a troop of horse from Cotsal, under the command of colonel Ashenhurst, arrived at Whiteladies: but the king was already gone; a fruitless search only provoked their impatience, and they hastily followed the track of the fugitives.

Sep. 4. At Whiteladies.

Charles was now in the hands, and entirely at the mercy,

of four brothers, (John, the fifth, had taken charge of the lord Wilmot,) labouring men, of the name of Penderel, and of Yates, his former guide, who had married a sister of the Penderels. He could not conceal from himself that their poverty might make them more accessible to temptation: but Derby and Giffard had conjured him to dismiss such thoughts: they were men of tried fidelity, who, born in the domain, and bred in the principles of a loyal and catholic family, had long been successfuly employed in screening priests and cavaliers from the searches of the civil magistrates and military officers.* By one of them, surnamed the trusty Richard, he was led into the thickest part of the adjoining wood, while the others posted themselves at convenient stations, to descry and announce the approach of an enemy. The day was wet and stormy: and Richard, attentive to the accommodation of his charge, who appeared sinking under the fatigue, caused by his efforts in the battle and the anxiety of his flight, spread a blanket for him under one of the largest trees, and ordered the wife of Yates to bring him the best refreshment which her house could afford. Charles was alarmed at the sight of this unexpected visitant. Recovering himself, he said, "Good woman, can you be faithful to a distressed cavalier?" "Yes, sir," she replied, "and I will die sooner than betray you." He was afterwards visited by Jane, the mother of the Penderels. The old woman kissed his hands, fell on her kness, and blessed her God that he had chosen *her* sons to preserve, as she was confident they would, the life of their sovereign.

It had been agreed between the king and Wilmot, that each should make the best of his way to London, and inquire for the other by the name of Ashburnham, at the Three Cranes in the Vintry. By conversation with his guardian Charles was induced to adopt a different plan, to seek an asylum among the cavaliers in Wales, till a ship could be procured for his transportation to France. About nine in the evening they left the wood together for the house of Mr. Wolf, a catholic recusant at Madeley, not far from the Severn; but an accidental alarm lengthened their

At Madeley.

* The Penderels, whom this event has introduced to the notice of the reader, were originally six brothers, born at Hobbal Grange, in the parish of Tong. John, George, and Thomas served in the armies of Charles I. Thomas was killed at Stow; the other two survived the war, and were employed as woodwards at Boscobel. Of the remaining three, William took care of the house, Humphrey worked at the mill, and Richard rented part of Hobbal Grange. After the restoration, the five brothers waited on the king at Whitehall, on the 13th of June, 1660, and were graciously received, and dismissed with a princely reward.

road, and added to the fatigue of the royal wanderer.* They reached Madeley at midnight; Wolf was roused from his bed, and the strangers obtained admission. But their host felt no small alarm for their safety. Troops were frequently quartered upon him: two companies of militia actually kept watch in the village, and the places of concealment in his house had been recently discovered. As the approach of daylight made it equally dangerous to proceed or turn back, he secreted them behind the hay in an adjoining barn, and despatched messengers to examine the passages of the river. Their report that all the bridges were guarded, and all the boats secured, compelled the unfortunate prince to abandon his design. On the return of darkness he placed himself again under the care of his trusty guide, and, with a heavy and misboding heart, retraced his steps towards his original destination, the house at Boscobel.

Sep. 5.

In the royal oak.

At Boscobel he found colonel Careless, one of those devoted adherents, who, to aid his escape from Worcester, had charged the enemy at the opposite gate. Careless had often provoked, and as often eluded, the resentment of the roundheads: and experience had made him acquainted with every loyal man, and every place of concealment, in the country. By his persuasion Charles consented to pass the day with him amidst the branches of an old and lofty oak.† This celebrated tree, which was afterwards destroyed to satisfy the veneration of the cavaliers, grew near the common path in a meadowfield, which lay in the centre of the wood. It had been partially lopped a few years before, and the new shoots had thrown around it a thick and luxuriant foliage. Within this cover the king and his companion passed the day. Invisible themselves, they occasionally caught a glimpse of the redcoats (so the soldiers were called) passing among the trees, and sometimes saw them looking into the meadow. Their friends, William Penderel

Sep. 6.

* The mill at Evelyn was filled with fugitives from the battle: the miller, espying Charles and his guide, and afraid of a discovery, called out "rogues;" and they, supposing him an enemy, turned up a miry lane, running at their utmost speed. Boscobel, 47 Account from the Pepys MS. p. 16.

† This day Humphrey Penderel, the miller, went to Skefnal to pay taxes, but in reality to learn news. He was taken before a military officer, who knew that Charles had been at Whiteladies, and tempted, with threats and promises, to discover where the king was; but nothing could be extracted from him, and he was allowed to return. Boscobel, 55. This, I suspect, to be the true story: but Charles himself, when he mentions the proposal made to Humphrey, attributes it to a man, at whose house he had changed his clothes. Account from the Pepys MS. p. 9.

and his wife, whom Charles called my dame Joan, stationed themselves near, to give warning of danger; he pretending to be employed in his duty as woodward, and she in the labour of gathering sticks for fuel. But there arose no cause of immediate alarm; the darkness of the night relieved them from their tedious and irksome confinement; and Charles, having on his return to the house examined the hiding place, resolved to trust to it for his future security.*

The next day, Sunday, he spent within doors or in the garden. But his thoughts brooded over his forlorn and desperate condition; and the gloom on his countenance betrayed the uneasiness of his mind. Fortunately in the afternoon he received by John Penderel a welcome message from lord Wilmot, to meet him that night at the house of Mr. Whitgrave, a recusant, at Mosely. The king's feet were so swollen and blistered by his recent walk to and from Madeley, that he gladly accepted the offer of Humphrey's horse from the mill; nor did the appearance of the monarch disgrace that of the steed. He wore a coat and breeches of coarse green cloth, so threadbare that in many places they appeared white; his doublet was of leather, old and soiled; his shoes were heavy and slashed for the ease of his feet; his stockings of green yarn had been much worn and darned at the knees; and an old gray steeple-crowned hat, without band or lining, with a crooked thorn stick, completed the royal habiliments. The six brothers attended him with arms: two kept in advance, two followed behind, and one walked on each side. He had not gone far before he complained to Humphrey of the heavy jolting pace of the horse. "My liege," replied the miller, "you do not recollect that he carries the weight of three kingdoms on his back." Sep. 7.

At Mosely, cheered by the company of Wilmot, and the attentions of Whitgrave, and his chaplain, Mr. Huddlestone,† he recovered his spirits, fought the battle of Worcester over again, and declared that, if he could find a few thousand men who had the courage to stand Sep. 8. At Mosely.

* Careless found means to reach London, and cross the sea to Holland, where he carried the first news of the king's escape to the princess of Orange. Charles gave him for his coat of arms, by the name of Carlos, an oak in a field, or, with a fesse gules, charged with three royal crowns, and for his crest a crown of oak leaves, with a sword and sceptre, crossed saltierwise. Boscobel, 85.

† Mr. Whitgrave had served as lieutenant, Huddlestone as gentleman volunteer in the armies of Charles I. The latter was of the family at Hutton John, in Cumberland. Leaving the service, he took orders, and was at this time a secular priest, living with Mr. Whitgrave. He afterwards became a Benedictine monk, and was appointed one of the queen's chaplains.

by him, he would not hesitate to meet his enemies a second time in the field. A new plan of escape was now submitted to his approbation. The daughter of colonel Lane of Bentley had obtained from the governor of Stafford a pass to visit Mrs. Norton, a relation near Bristol: Charles consented to assume the character of her servant, and Wilmot departed on the following night to make arrangements for his reception. In the mean time, to guard against a surprise, Huddlestone constantly attended the king; Whitgrave occasionally left the house to observe what passed in the street; and sir John Preston, and two other boys, the pupils of Huddlestone, were stationed as sentinels at the garret windows.* But the danger of discovery increased every hour. The confession of a cornet, who accompanied him, and was afterwards made prisoner, divulged the fact that Charles had been left at Whiteladies; and the hope of reward stimulated the parliamentary officers to new and more active exertions. The house at Boscobel, on the day after the king's departure, was successively visited by two parties of the enemy: the next morning a second and more rigorous search was made at Whiteladies; and in the afternoon the arrival of a troop of horse alarmed the inhabitants of Mosely. As Charles, Whitgrave, and Huddlestone were standing near a window, they observed a neighbour run hastily into the house, and in an instant heard the shout of "soldiers, soldiers," from the foot of the staircase. The king was immediately shut up in the secret place; all the other doors were thrown open; and Whitgrave descending, met the troopers in front of his house. They seized him as a fugitive cavalier from Worcester; but he convinced them by the testimony of his neighbours, that for several weeks he had not quitted Mosely, and with much difficulty prevailed on them to depart without searching the house.

Sep. 9.

That night Charles proceeded to Bentley. It took but little time to transform the wood-cutter into a domestic servant, and to exchange a dress of green jump for a more decent suit of gray cloth. He departed on horseback with his supposed mistress behind him, accompanied by her cousin, Mr. Lassells; and, after a journey of three days, reached Mr. Norton's house without interruption or danger. Wilmot stopped at sir John Winter's, a place in the neighbourhood.

At Mr. Norton's.

Sep. 11.

Sep. 14.

* Though ignorant of the quality of the stranger, the boys amused the king by calling themselves his life-guard. Boscobel, 78.

On the road, he had occasionally joined the royal party, as if it were by accident: more generally he preceded or followed them at a short distance. He rode with a hawk on his fist, and dogs by his side; and the boldness of his manner as effectually screened him from discovery as the most skilful disguise.

The king on his arrival was indulged with a separate chamber, under the pretence of indisposition; but the next morning he found himself in the company of two persons, of whom one had been a private in his regiment of guards at Worcester, the other a servant in the palace at Richmond, when Charles lived there several years before. The first did not recognize him, though he pretended to give a description of his person; the other, the moment the king uncovered, recollected the features of the prince, and communicated his suspicions to Lassells. Charles, with great judgment sent for him, discovered himself to him as an old acquaintance, and required his assistance. The man, (he was butler to the family,) felt himself honoured by the royal confidence, and endeavoured to repay it by his services. He removed to a distance from the king two individuals in the house of known republican principles; he inquired, though without success, for a ship at Bristol to carry him to France or Spain; and he introduced lord Wilmot to his chamber at the hour of midnight. There they sate in council, and resolved that the king should remove the next day to the house of colonel Windham, a cavalier whom he knew, at Trent near Sherburn; that a messenger should be despatched to prepare the family for his arrival; and that, to account for the sudden departure of Miss Lane, a counterfeit letter should be delivered to her, stating that her father was lying at the point of death. The plan succeeded: she was suffered to depart, and in two days the prince reached his destination. The following morning Miss Lane took her leave, and hastened back with Lassells to Bentley.*

Sep. 15.

Sep. 17.

Sep. 18.
Sep. 19.
Sep. 20.

In his retirement at Trent, Charles began to indulge the hope of a speedy liberation from danger. A ship was hired at Lyme to convey a nobleman and his servant (Wilmot and the king) to the coast of France; the hour and the place of embarkation were fix-

Repeated disappointments.

* This lady received a reward of 1000*l.* for her services, by order of the two houses. C. Journals, 1660, Dec. 19, 21.

ed; and a widow, who kept a small inn at Charmouth, consented to furnish a temporary asylum to a gentleman in disguise and a young female who had just escaped from the custody of a harsh and unfeeling guardian. The
Sep. 23. next evening Charles appeared in a servant's dress, with Juliana Coningsby riding behind him, and accompanied by Wilmot and Windham. The hostess received the supposed lovers with a hearty welcome; but their patience was soon put to the severest trial: the night passed away, no boat entered the creek, no ship could be descried in the offing; and the disappointment gave birth to a thousand jealousies and apprehensions. At dawn of day the whole
Sep. 24. party separated; Wilmot, with a servant, going to Lyme to inquire after the master of the vessel; Charles, with his companions, proceeding to Bridport to wait the return of Wilmot. In Bridport he found fifteen hundred soldiers preparing to embark on an expedition against Jersey; but, unwilling to create a real, by seeking to eschew an imaginary, danger, he boldly pushed forward to the inn, and led the horses through the crowd with a rudeness which provoked complaint. But a new danger awaited him at the stable. The hostler challenged him as an old acquaintance, pretending to have known him in the service of Mr. Potter, at Exeter. The fact was that, during the civil war, Charles had lodged at that gentleman's house. He turned aside to conceal his alarm; but had sufficient presence of mind to avail himself of the partial mistake of the hostler, and to reply, "true, I once lived a servant with Mr. Potter; but as I have no leisure now, we will renew our acquaintance on my return from London over a pot of beer."

After dinner, the royal party joined Wilmot out of the town. The master of the ship had been detained at home by the fears and remonstrances of his wife, and no promises could induce him to renew his engagement. Con-
Sep. 25. founded and dispirited, Charles retraced his steps to Trent: new plans were followed by new disappointments; a second ship, provided by colonel Philips at Southampton, was seized for the transportation of troops to Jer-
Oct. 8. sey: and mysterious rumours in the neighbourhood rendered unsafe the king's continuance at colonel Windham's.* At Heale, the residence of the widow Hyde, near Salisbury, he found a more secure retreat for five days, dur-

* A reward of 1000*l.* was afterwards given to Windham. C. Journals, Dec. 17, 1660.

ing which colonel Gunter, through the agency of Mansel, a loyal merchant, engaged a collier lying at New Shoreham. Charles hastened through Hambleton to Brighton, where he sate down to supper with Philips, Gunter, Mansel, and Tattershall, the master of the vessel. At table, Tattershall kept his eyes fixed on the king; after supper he called Mansel aside and complained of fraud. The person in gray was the king; he knew him well, having been detained by him in the river, when, as prince of Wales, he commanded the royal fleet in 1648. This information was speedily communicated to Charles, who took no notice of it to Tattershall; but, to make sure of his man, contrived to keep the party drinking and smoking round the table during the rest of the night. Oct. 14. Oct. 15.

Before his departure, while he was standing alone in a room, the landlord entered, and, going behind him, kissed his hand, which rested on the back of a chair, saying at the same time, "I have no doubt that, if I live, I shall be a lord, and my wife a lady." Charles laughed, to show that he understood his meaning, and joined the company in the other apartment. At four in the morning they all proceeded to Shoreham: on the beach his other attendants took their leave; Wilmot accompanied him into the bark. There Tattershall, falling on his knee, solemnly assured him that, whatever might be the consequences, he would put him safely on the coast of France. The ship floated with the tide, and stood with easy sail towards the Isle of Wight, as if she were on her way to Deal, to which port she was bound. But at five in the afternoon, Charles, as he had previously concerted with Tattershall, addressed the crew. He told them that he and his companion were merchants in distress, flying from their creditors; desired them to join him in requesting the master to run for the French coast, and, as a further argument, gave them twenty shillings to drink. Tattershall made many objections; but, at last, with apparent reluctance, took the helm, and steered across the channel. At day-break they saw before them the small town of Fecamp, at the distance of two miles; but the tide ebbing, they cast anchor, and soon afterwards descried to leeward a suspicious sail, which, by her manner of working, the king feared, and the master believed, to be a privateer from Ostend. She afterwards proved to be a French hoy; but Charles waited not Charles escapes to France. Oct. 16. Oct. 17.

to ascertain the fact; the boat was instantly lowered, and the two adventurers were rowed safely into the harbour.*

The king's deliverance was a subject of joy to the nations of Europe, among whom the horror excited by the death of the father had given popularity to the exertions of the son. In his expedition in England they had followed him with wishes for his success; after his defeat at Worcester they were agitated with apprehensions for his safety. He had now eluded the hunters of his life: he appeared before them with fresh claims on their sympathy, from the spirit which he had displayed in the field, and the address with which he had extricated himself from danger. His adventures were listened to with interest, and his conduct was made the theme of general praise. That he should be the heir to the British crowns was the mere accident of birth; that he was worthy to wear them, he owed to the energies of his own mind. In a few months, however, the delusion vanished. Charles had borne the blossoms of promise; they were quickly blasted under the withering influence of dissipation and pleasure.

* For the history of the king's escape, see Blount's Boscobel, with Claustrum Regale Reseratum; the Whitegrave Manuscript, printed in the Retrospective Review, xiv. 26. Father Huddleston's Relation; the True Narrative and Relation in the Harleian Miscellany, iv. 441. An account of his majesty's escape from Worcester, dictated to Mr. Pepy's by the king himself, and the narrative given by Bates in the second part of his Elenchus. In addition to these, we have a narrative by Clarendon, who professes to have derived his information from Charles and the other actors in the transaction, and asserts that, "it is exactly true; that there is nothing in it, the verity whereof can justly be suspected." (Car. Hist. iii. 427. 8.) Yet, whoever will compare it with the other accounts will see that much of great interest has been omitted, and much so disfigured as to bear little resemblance to the truth. It must be that the historian, writing in banishment, and at a great distance of time, trusted to his imagination to supply the defect of his memory.

CHAP. II.

THE COMMONWEALTH.

I. VIGILANCE OF THE GOVERNMENT.—II. SUBJUGATION OF IRELAND.—III. OF SCOTLAND.—IV. NEGOCIATION WITH PORTUGAL.—V. WITH SPAIN.—VI. WITH THE UNITED PROVINCES.—NAVAL WAR.—AMBITION OF CROMWELL.—EXPULSION OF PARLIAMENT.—CHARACTER OF ITS LEADING MEMBERS.—SOME OF ITS ENACTMENTS.

In the preceding chapter we have followed the fortunes of Charles Stuart, from his landing in Scotland to his defeat at Worcester, and his escape to the continent: we may now direct our attention to the more important of the events which occurred in the mean time in England and Ireland. 1649.

1. The form of government established in England was an oligarchy. A few individuals, under the cover of a nominal parliament, ruled the kingdom with the power of the sword. Could the sense of the nation have been collected, there cannot be a doubt that the old royalists of the cavalier, and the new royalists of the presbyterian, party, would have formed a decided majority; but they were awed into silence and submission by the presence of a standing army of forty-five thousand men; and the maxim that "power gives right" was held out a sufficient reason why they should swear fidelity to the commonwealth.* This numerous army, the real source of their security, proved, however, a cause of constant solicitude to the leaders. The pay of the officers and men was always in arrear; the debentures which they received could be seldom exchanged for money without a loss of fifty, sixty, or seventy per cent.; and the plea of necessity was accepted as an excuse for the illegal claim of free quarter which they frequently exercised. To supply their wants recourse was therefore had to additional taxation, with occasional grants from the ex- The commonwealth a military government.

* See Marchamont Nedham's "Case of the Commonwealth Stated," 4to. London, 1650.

cise, and large sales of forfeited property;* and, to appease the discontent of the people, promises were repeatedly made, that a considerable portion of the armed force should be disbanded, and the practice of free quarter be abolished. But of these promises, the first proved a mere delusion; for, though some partial reductions were made, on the whole the amount of the army continued to increase: the second was fulfilled; but in return, the burthen of taxation was augmented; for the monthly assessment on the counties gradually swelled from sixty to ninety, to one hundred and twenty, and, in conclusion, to one hundred and sixty thousand pounds.†

Opposition of Lilburn.

Another subject of disquietude sprung out of those principles of liberty which, even after the suppression of the late mutiny, were secretly cherished, and occasionally avowed, by the soldiery. Many, indeed, confided in the patriotism, and submitted to the judgment of their officers; but there were also many who condemned the existing government as a desertion of the good cause in which they had originally embarked. By the latter Lilburn was revered as an apostle and a martyr; they read with avidity the publications which repeatedly issued from his cell; and they condemned as persecutors and tyrants the men who had immured him and his companions in the Tower. Preparations had been made to bring them to trial as the authors of the late mutiny; but, on more mature deliberation, the project was abandoned, and an act was passed making it treason to assert that the government was tyrannical, usurped, or unlawful. No enactments, however, could check the hostility of Lilburn; and a new pamphlet from his pen, in vindication of "The Legal Fundamental Liberties of the People," put to the test the resolution of his opponents. They shrunk from the struggle; it was judged more prudent to forgive, or more dignified to despise, his efforts; and, on his petition for leave to visit his sick family, he obtained his discharge.‡

1649. Apirl 11. May 12. June 8. July 18.

His trial and acquittal. Sep. 6.

But this lenity made no impression on his mind. In the course of six weeks he published two more offensive tracts, and distributed them among the soldiery. A new mutiny broke out at Oxford: its

* Journals, 1649, Ap. 18; Oc. 4. 1650, March 30. 1651, Sep. 2; Dec. 17. 1652, Ap. 7.

† Ibid. 1649, Ap. 7; Aug. 1; Dec. 7. 1650, May 21; Nov. 26. 1651, Ap. 15; Sep. 1; Dec. 19. 1652, Dec. 10. 1653, Nov. 24.

‡ Journals, 1649, Ap. 11; Mai 12; July 18. Council Book, May 2. Whitelock, 414.

speedy suppression emboldened the council: the demagogue was re-conducted to his cell in the Tower; and Keble, with forty other commissioners, was appointed to try him for his last offence on the recent statute of treasons. It may, perhaps, be deemed a weakness in Lilburn that he now offered on certain conditions to transport himself to America: but he redeemed his character as soon as he was placed at the bar. He repelled with scorn the charges of the prosecutors and the taunts of the court; electrified the audience by frequent appeals to Magna Charta and the liberties of Englishmen, and stoutly maintained the doctrine that the jury had a right to judge of the law as well as of the fact. It was in vain that the court pronounced this opinion "the most damnable heresy ever broached in the land," and that the government employed all its influence to win or intimidate the jurors: after a trial of three days Lilburn obtained a verdict of acquittal.*

Sep. 14.

Oct. 25.

Whether after his liberation any secret compromise took place is uncertain. He subscribed the engagement, explaining it in a sense conformable to his own principles; and the parliament voted him a considerable sum in reparation of his sufferings in the star-chamber.† But two years later he had the imprudence to distribute a petition from Josiah Primate, charging sir Arthur Hazelrig and the commissioners at Haberdashers'-hall with injustice and tyranny. This by the house was voted a breach of privilege, and the offender was condemned in a fine of 7,000*l.* with banishment for life. Probably the court of star-chamber never pronounced a judgment in which the punishment was more disproportionate to the offence. But his former enemies sought not justice on the culprit, but security to themselves. They seized the opportunity of freeing the government from the presence of a man whom they had so long feared; and, as he refused to kneel at the bar while judgment was pronounced, they embodied the resolution in an act of parliament. To save his life Lilburn submitted; but his residence on the continent was short: the reader will soon meet him again in England.‡

And banishment. Dec. 29. 1650. July 30.

1652. Jan. 15.

Jan. 20.

* Journal, 1649, Sep. 11; Oct. 30. Whitelock, 424, 6. State Trials, ii. 161.

† Whitelock, 436. Journ. 1650, July 16, 30.

‡ Journals, 1651, Dec. 23. 1652, Jan. 15. 22. 30. Whitelock, 500. State Trials, v. 407—415.

The levellers had boldly avowed their object; the royalists worked in the dark and by stealth; yet the council by its vigilance and promptitude proved a match for the open hostility of the one, and the secret machinations of the other. A doubt may, indeed, be raised of the policy of the "engagement," a promise of fidelity to the commonwealth without king or house of lords. As long as it was confined to those who held office under the government, it remained a mere question of choice; but when it was exacted from all Englishmen above seventeen years of age, under the penalty of incapacity to maintain an action in any court of law, it became to numbers a matter of necessity, and served rather to irritate than to produce security.* A more efficient measure was the permanent establishment of a high court of justice to inquire into offences against the state, to which was added the organization of a system of espionage by captain Bishop, under the direction of Scot, a member of the council. The friends of monarchy, encouraged by the clamour of the levellers and the professions of the Scots, had begun to hold meetings, sometimes under the pretence of religious worship, sometimes under that of country amusements: in a short time they divided the kingdom into districts called associations, in each of which it was supposed that a certain number of armed men might be raised; and blank commissions with the royal signature were obtained, to be used in appointing colonels, captains, and lieutenants, for the command of these forces. Then followed an active correspondence both with Charles after his arrival in Scotland, and with the earl of Newcastle, the lord Hopton, and a council of exiles, first at Utrecht, and afterwards at the Hague. By the plan ultimately adopted, it was proposed that Charles himself or Massey, leaving a sufficient force to occupy the English army in Scotland, should, with a strong corps of cavalry, cross the borders between the kingdoms; that at the same time the royalists in the several associations should rise in arms, and that the exiles in Holland, with five thousand English and German adventurers, should land in Kent, surprise Dover, and hasten to join their presbyterian associates in the capital.† But to arrange and ensure the co-operation of all the parties concerned, required the employment of numerous agents, of whom, if seve-

Plans of the royalists. 1650.

Discovered and prevented.

* Leicester's Journal, 97—101.

† Milton's State Papers, 35. 37. 39. 47. 49, 50. Baillie, ii. 348. Carte's Letters, i. 414.

ral were actuated by principle, many were of doubtful faith and desperate fortunes. Some of these betrayed their trust; some undertook to serve both parties, and deceived each; and it is a curious fact, that, while the letters of the royalist agents often passed through the hands of Bishop himself, the secret papers belonging to the council of state were copied and forwarded to the king.* This consequence however followed, that the plans of the royalists were always discovered, and by that means defeated by the precautions of the council. While the king was on his way to Scotland, a number of blank commissions had been seized in the possession of Dr. Lewen, a civilian, who was adjudged to suffer the penalties of treason. Soon afterwards sir John Gell, colonel Eusebius Andrews, and captain Benson were arraigned on the charge of conspiring the destruction of the government established by law. They opposed three objections to the jurisdiction of the court. It was contrary to Magna Charta, which gave to every freeman the right of being tried by his peers; contrary to the petition of right, by which courts-martial (and the present court was most certainly a court-martial), had been forbidden; and contrary to the many declarations of parliament, that the laws, the rights of the people, and the courts of justice should be maintained. But the court repelled these objections; Andrews and Benson suffered death, and Gell was condemned to perpetual imprisonment, with the forfeiture of his property.† July 13. 1651. Aug. 2. Oct. 7.

These executions did not repress the eagerness of the royalists, or relax the vigilance of the council. In the beginning of December the friends of Charles took up arms in Norfolk, but the rising was premature; a body of roundheads dispersed the insurgents; and twenty of the latter atoned for their temerity with their lives. The Scilly Isles, still in the possession of Grenville, the commander of the western association, were reduced; a number of gentlemen in Hampshire, who had promised their services to the king, were arrested; and the imprudent muster of two thou- Execution of Love. Dec. 2. 1652. Jan. 12.

* State Trials, v. 4. Milton's State Papers, 39. 47. 50. 57. One of these agents employed by both parties was a Mrs. Walters, alias Hamlin, on whose services Bishop placed great reliance. She was to introduce herself to Cromwell by pronouncing the word "prosperity." Ibid.

† Whitelock, 464. 468. 473, 474. Heath, 269, 270. See mention of several discoveries in Carte's Letters, i. 443. 464. 472.

sand men in Kent led to the imprisonment of the royalist inhabitants of that county. The council had re-
1651. May 2. solved to attack the presbyterian party in their chief bulwark, the city, and Love, one of the most celebrated of the ministers, was apprehended with several of his associates. At his trial, he sought to save his life by an evasive protestation, which he uttered with the most imposing solemnity in the presence of the Almighty. But it was clearly proved against him that the meetings had been held in his house, the money collected for the royalists had been placed on his table, and the letters received, and the answers
July 15. to be returned, had been read in his hearing. As soon as he received judgment, his friends presented several petitions in his favour; respite after respite was obtained; and parliament, as if it had feared to decide without instructions, referred the case to Cromwell in Scotland. That general was instantly assailed with letters both from the friends and the foes of Love: he was silent; a longer time was grant-
Aug. 22. ed by the house; but he returned no answer; and the unfortunate minister lost his head on Tower-hill with the constancy and serenity of a martyr. Of his associates, one only, Gibbons, a citizen, shared his fate.*

Transactions in Ireland. 2. To Charles it had been whispered by his secret advisers that the war between the parliament and the Scots would, by withdrawing the attention of the council from Ireland, allow the royal party to resume the ascendancy in that kingdom. But this hope quickly vanished. The resources of the commonwealth were seen to multiply with its wants: its army in Ireland was daily augmented by recruits in the island and by reinforcements from England; and Ireton, to whom Cromwell, with the title of lord deputy, had left the chief command, pursued with little interruption the career of his victorious predecessor. Sir
1650. June 18. Charles Coote met the men of Ulster at Letterkenny: after a long and sanguinary action they were defeated; and the next day their leader, the warrior bishop of Clogher, was made prisoner by a fresh corps of troops from Inniskilling.† Lady Fitzgerald, a name as

* Milton's State Papers, 50. 54. 66. 75. 76. Whitelock, 492, 3. 5. 500. State Trials, v. 43—294. Heath, 288. 290. Leicester's Journal, 107. 115. 139. A report, probably unfounded, was spread that Cromwell granted him his life, but the despatch was waylaid, and detained or destroyed by the cavaliers, who bore in remembrance Love's former hostility to the royal cause. Hamlet, 135.

† Though he had quarter given and life promised, Coote ordered him to be

illustrious in the military annals of Ireland as that of lady Derby in those of England, defended the fortress of Trecoghan; but neither the efforts of sir Robert Talbot within, nor the gallant attempt of Lord Castlehaven without, could prevent its surrender.* Waterford, Carlow, and Charlemont, accepted honourable conditions; and the garrison of Duncannon, reduced to a handful of men by the ravages of the plague, opened its gates to the enemy.† Ormond, instead of facing the conquerors in the field, had been engaged in a long and irritating controversy with those of the catholic leaders who distrusted his integrity, and with the townsmen of Limerick and Galway, who refused to admit his troops within their walls. Misfortune had put an end to his authority; his enemies remarked that, whether he were a real friend or a secret foe, the cause of the confederates had never prospered under his guidance; and the bishops conjured him, now that the very existence of the nation was at stake, to adopt measures which might heal the public dissensions, and unite all true Irishmen in the common defence. Since the loss of Munster by the defection of Inchiquin's forces, they had entertained an incurable distrust of their English allies; and, to appease their jealousy, he dismissed the few Englishmen who yet remained in the service. Finding them rise in their demands, he called a general assembly at Loughrea, announced his intention, or pretended intention, of quitting the kingdom; and then, at the general request, and, after some demur, consented to remain. Hitherto the Irish had cherished the expectation that the young monarch would, as he had repeatedly promised, come to Ireland, and take the reins of government into his hands; they now, to their disappointment, learned that he had accepted the invitation of the Scots, their sworn and inveterate enemies. In a short time, the conditions to which he had subscribed, began to transpire: that he had engaged to annul the late pacification between Ormond and the catholics, and had bound himself by oath, not only not to permit the exercise of the catholic worship, but to root out the catholic religion wherever it existed

June 25.

Aug. 20.

March 28.

hanged. Yet it was by Mac Mahon's persuasion that O'Nial in the preceding year had saved Coote by raising the siege of Londonderry. (Clarendon, Short View, etc. in vol. viii. 145—149.) But Coote conducted the war like a savage. See several instances at the end of Lynch's Cambrensis Everus.

* See Castlehaven's Memoirs, 120. 124; and Carte's Ormond, ii. 116.

† Heath, 257. 270. Whitelock, 457. 9. 463, 4. 9.

Aug. 6. in any of his dominions. A general gloom and despondency prevailed: ten bishops and ten clergymen assembled at Jamestown, and their first resolve was to depute two of their number to the lord-lieutenant, to request that he would put in execution his former design of quitting the kingdom, and would leave his authority in the hands of a catholic deputy possessing the confidence of the nation. Without, however, waiting for his answer, they proceeded to frame a declaration, in which they charged Ormond with negligence, incapacity, and perfidy; protested that, though they were compelled by the great duty of self-preservation to withdraw from the government of the king's lieutenant, they had no intention to derogate from the royal authority; and pronounced that, in the existing circumstances, the Irish people were no longer bound by the articles of the pacification, but by the oath under which they had formerly associated for their common protection. To this, the next day they appended a form of excommunication equally affecting all persons who should abet either Ormond or Ireton, in opposition to the real interests of the catholic confederacy.*

Aug. 10. Aug. 11. Aug. 12.

Discontent caused by the king's declaration in Scotland.

The lord-lieutenant, however, found that he was supported by some of the prelates and by most of the aristocracy. He replied to the synod at Jamestown, that nothing short of necessity should induce him to quit Ireland without the order of the king; and the commissioners of trust expostulated with the bishops on their imprudence and presumption. But at this moment arrived copies of the declaration which Charles had been compelled to publish at Dunfermling in Scotland. The whole population was in a ferment. Their suspicions, they exclaimed, were now verified; their fears and predictions accomplished. The king had pronounced them a race of "bloody rebels;" he had disowned them for his subjects; he had annulled the articles of pacification, and had declared to the whole world that he would exterminate their religion. In this excited temper of mind, the committee appointed by the bishops published both the declaration and excommunication. A single night intervened; their passions had leisure to cool; they repented of their precipitancy; and, by the advice of the pre-

Aug. 31. Sep. 2. Aug. 16. Sep. 15.

* Ponce, Vindiciæ Eversæ, 236—257. Clarendon, viii. 151. 154. 156. Hibernia Dominicana, 691. Carte, ii. 118. 120. 127.

lates in the town of Galway, they published a third paper, suspending the effect of the former. Sep. 16.

Ormond's first expedient was to pronounce the Dunfermling declaration a forgery; for the king from Breda, previously to his voyage to Scotland, had solemnly assured him that he would never, for any earthly consideration, violate the pacification. A second message informed him that it was genuine, but ought to be considered of no force, as far as it concerned Ireland, because it had been issued without the advice of the Irish privy council.* This communication encouraged the lord-lieutenant to assume a bolder tone. He professed himself ready to assert, that both the king and his officers on one part, and the catholic population on the other, were bound by the provisions of the treaty; but he previously required that the commissioners of trust should condemn the proceedings of the synod at Jamestown, and join with him in punishing such of its members as should persist in their disobedience. They made proposals to the prelates, and received for answer, that protection and obedience were correlative; and, therefore, since the king had publicly excluded them, under the designation of "bloody rebels," from his protection, they could not understand how any officer acting by his authority could lay claim to their obedience.† Oct. 15. Oct. 23. Oct. 29.

This answer convinced Ormond that it was time for him to leave Ireland; but, before his departure, he called a general assembly, and selected the marquess of Clanricard, a catholic nobleman, to command as his deputy. To Clanricard, whose health was infirm, and whose habits were domestic, nothing could be more unwelcome than such an appointment. Wherever he cast his eyes he was appalled by the prospect before him. He saw three-fourths of Ireland in the possession of a restless and victorious enemy. Connaught and Clare, which alone remained Departure of Ormond.

* Carte's Letters, i. 391. Charles's counsellors at Breda had instilled into him principles which he seems afterwards to have cherished through life: "that honour and conscience were bugbears, and that the king ought to govern himself rather by the rules of prudence and necessity." Ibid. Nicholas to Ormond, 438. At first Charles agreed to find some way "how he might with honour and justice break the peace with the Irish; if a free parliament in Scotland should think it fitting;" afterwards, "to break it, but on condition that it should not be published till he had acquainted Ormond and his friends, secured them, and been instructed how with honour and justice he might break it in regard of the breach on their part." P. 396, 397. Yet a little before he had resolutely declared that no consideration should induce him to violate the same peace. P. 374. 379.

† Ponce, 257—261.

to the royalists, were depopulated by famine and pestilence; and political and religious dissensions divided the leaders and their followers, while one party attributed the national disasters to the temerity of the men who presumed to govern under the curse of excommunication; and the other charged their opponents with concealing disloyal and interested views under the mantle of patriotism and religion. Every prospect of successful resistance was gone; the Shannon, their present protection from the foe, would become fordable in the spring; and then the last asylum of Irish independence must be overrun.* Under such discouraging circumstances it required all the authority of Ormond and Castlehaven to induce him to accept an office which opened no prospect of emolument or glory, but promised a plentiful harvest of contradiction, hardship, and danger.

Nov. 25. In the assembly which was held at Loughrea, the majority of the members disapproved of the conduct of the synod, but sought rather to heal by conciliation, than to perpetuate dissension. Ormond, having written a vindication of his conduct, and received an answer consoling, if not perfectly satisfactory to his feelings, sailed from Galway; but Clanricard obstinately refused to enter on the exercise of his office, till reparation had been made to the royal authority for the insult offered to it by the Jamestown declaration. He required an acknowledgment, that it was not in the power of any body of men to discharge the people from their obedience to the lord deputy, as long as the royal authority was vested in him; and at length obtained a declaration to that effect, but with a protestation, that by it "the confederates did not waive their right to the faithful observance of the articles of pacification, nor bind themselves to obey every chief governor, who might be unduly nominated by the king, during his unfree condition among the Scots."†

Dec. 2.
Dec. 7.
Dec. 24.

Refusal to treat with the parliament. Aware of the benefit which the royalists in Scotland derived from the duration of hostilities in Ireland, the parliamentary leaders sought to put an end to the protracted and sanguinary struggle. Scarcely had Clanricard assumed the government, when Grace and Bryan, two catholic officers, presented themselves to the assembly with a message from Axtel, the governor of Kilkenny, the bearers of a proposal;

1651. Jan. 10.

* See Clanricard's State of the Nation in his Memoirs, part. ii. p. 24.
† Carte, ii. 137—140. Walsh, App. 75—137. Belling in Poncinn, 26.

for a treaty of submission. By many the overture was hailed with transport. They maintained that nothing but a general negotiation could prevent those private treaties, which daily thinned their numbers, and exposed the more resolute to inevitable ruin; that the conditions held out were better than they had reason to except *now*, infinitely better than they could expect hereafter. Let them put the sincerity of their enemies to the test. If the treaty should succeed, the nation would be saved; if it did not, the failure would unite all true Irishmen in the common cause, who, if they must fall, would not fall unrevenged. There was much force in this reasoning; and it was strengthened by the testimony of officers from several quarters who represented that, to negociate with the parliament was the only expedient for the preservation of the people. But Clanricard treated the proposal with contempt. To entertain it was an insult to him, an act of treason against the king; and he was seconded by the eloquence and authority of Castlehaven, who affected to despise the power of the enemy, and attributed his success to their own divisions. Had the assembly known the motives which really actuated these noblemen; that they had been secretly instructed by Charles to continue the contest at every risk, as the best means of enabling him to make head against Cromwell; that this, probably the last opportunity of saving the lives and properties of the confederates, was to be sacrificed to the mere chance of gaining a victory for the Scots, their bitter and implacable enemies,* many of the calamities which Ireland was yet doomed to suffer, would, perhaps, have been averted. But the majority allowed themselves to be persuaded: the motion to negociate with parliament was rejected, and the penalties of treason were denounced by the assembly, the sentence of excommunication by the bishops, against all who should conclude any private treaty with the enemy. Limerick and Galway, the two bulwarks of the confederacy disapproved of this vote, and obstinately refused to admit garrisons within their walls, that they might not be overawed by the military, but remain arbiters of their own fate.

Offer from the duke of Lorrain.

The lord deputy was no sooner relieved from this difficulty, than he found himself entangled in a negotiation of unusual delicacy and perplexity. About the close of the last summer, Ormond had despatched the lord Taafe to Brussels, with instructions,

* Castlehaven's Memoirs, 116, 119, 120.

both in his own name, and the name of the supreme council,* to solicit the aid of the duke of Lorrain, a prince of the most restless and intriguing disposition, who was accustomed to sell at a high price the services of his army to the neighbouring powers. The duke received him graciously; made him a present of 5000*l.*, and promised an additional aid of men and money, but on condition that he should be declared protector royal of Ireland, with all the rights belonging to that office—rights as undefined as the office itself was hitherto unknown. Taafe hesitated, but was encouraged to proceed by the queen mother, the duke of York, and de Vic, the king's resident at Brussels. They argued that, without aid to the Irish, the king must succumb in Scotland; that the duke of Lorrain was the only prince in Europe that could afford them succour; and that, whatever might be his secret projects, they could never be so prejudicial to the royal interests as the subjugation of Ireland by the parliament.† Taafe, however, took a middle way, and persuaded the duke to send De Henin as his envoy to the supreme council, with powers to conclude the treaty in Ireland.

1650. Nov.

Dec. 31.

The assembly had just been dismissed when this envoy arrived. By the people, the clergy, the nobility, he was received as an angel sent from heaven. The supply of arms and ammunition which he brought, joined to his promise of more efficient succour in a short time, roused them from their despondency, and encouraged them to indulge the hope of making a stand against the pressure of the enemy. Clanricard, left without instructions, knew not how to act. He dared not refuse the aid so highly prized by the people; he dared not ac-

1651. Treaty with that prince. Feb. 25.

* Compare the papers in the second part of Clanricard's Memoirs, 17, 18. 27, (folio, London, 1757,) with Carte's Ormond, ii. 143.

† Clanricard, 4, 5. 17. 27. Ormond was also of the same opinion. He writes to Taafe that "nothing was done that were to be wished undone;" that the supreme council were the best judges of their own condition; that they had received permission from the king, for their own preservation, even to receive conditions from the enemy, which must be much more contrary to his interest, than to receive helps from any other to resist them, almost upon any terms. Clanric. 33, 34. There is in the collection of letters by Carte, one from Ormond to Clanricard written after the battle of Worcester, in which that nobleman says that it will be without scruple his advice, that "fitting ministers be sent to the pope, and apt inducements proposed to him for his interposition, not only with all princes and states" —. The rest of the letter is lost, or Carte did not choose to publish it; but it is plain from the first part that he thought the only chance for the restoration of the royal authority was in the aid to be obtained from the pope and the catholic powers. Carte's Letters, i. 461.

cede to demands so prejudicial to the king's authority. But if the title of protector royal sounded ungratefully in his ears, it was heard with very different feelings by the confederates, who had reason to conclude that, if the contest between Cromwell and the Scots should terminate in favour of the latter, the Irish catholics would still have need of a protector to preserve their religion from the exterminating fanaticism of the kirk. Clanricard was, however, inexorable, and his resolution finally triumphed over the eagerness of his countrymen, and the obstinacy of the envoy. From the latter he obtained an additional sum of 15,000*l.*, on the easy condition of naming agents to conduct the negociation at Brussels according to such instructions as they should receive from the queen dowager, the duke of York, and the duke of Ormond. The lord deputy rejoiced that he had shifted the burthen from his shoulders. De Henin was satisfied, because he knew the secret sentiments of those to whose judgment the point in question had been referred.* March 27.

Taafe, having received his instructions in Paris (but verbal, not written instructions as Clanricard had required) joined his colleagues, sir Nicholas Plunket, and Geoffrey Brown, in Brussels, and, after a long but ineffectual struggle, subscribed to the commands of the duke of Lorrain.† That prince by the treaty engaged to furnish for the protection of Ireland all such supplies of arms, money, ammunition, shipping, and provisions as the necessity of the case might require; and in return the agents, in the name of the people and kingdom of Ireland, conferred on him, his heirs and successors the title of protector royal, together with the chief civil authority and the command of the forces, but under the obligation of restoring both, on the payment of his expenses, to Charles Stuart, the rightful sovereign.‡ There cannot be a doubt that each party sought to overreach the other. July 11. July 27.

Clanricard was surprised that he heard nothing from his agents, nothing from the queen or the duke of Ormond. After a silence of several months a copy of the treaty arrived. He read it with indignation; he asserted that the envoys had transgressed their instructions; he threatened to declare them traitors by proclamation. But Charles had now arrived in It is rejected. Oct. 12. Oct. 20.

* Clanricard, 1—16.

† Ibid. 31. 58. It is certain from Clanricard's papers that the treaty was not concluded till after the return of Taafe from Paris, p. 58.

‡ Clanricard, 34.

Paris after the defeat at Worcester, and was made acquainted with the whole intrigue. He praised the loyalty of the deputy, but sought to mitigate his displeasure against the three agents, exhorted him to receive them again into his confidence, and advised him to employ their services, as if the treaty had never existed. To the duke of Lorrain he despatched the earl of Norwich, to object to the articles which bore most on the royal authority, and to re-commence the negociation.* But the unsuccessful termination of the Scottish war taught that prince to look on the project as hopeless; while he hesitated, the court of Brussels obtained proofs that he was intriguing with the French minister; and, to the surprise of Europe, he was suddenly arrested in Brussels, and conducted a prisoner to Toledo in Spain.†

1652. Feb. 10. March 28.

Clanricard, hostile as he was to the pretensions of the duke of Lorrain, had availed himself of the money received from that prince to organize a new force, and oppose every obstacle in his power to the progress of the enemy. Ireton, who anticipated nothing less than the entire reduction of the island, opened the campaign with the siege of Limerick. The conditions which he offered were refused by the inhabitants, and, at their request, Hugh O'Nial with three thousand men undertook the defence of the city, but with an understanding that the keys of the gates and the government of the place should remain in the possession of the mayor. Both parties displayed a valour and obstinacy worthy of the prize for which they fought. Though lord Broghill defeated lord Muskerry, the catholic commander in Munster; though Coote, in defiance of Clanricard, penetrated from the northern extremity of Connaught, as far as Athenree and Portumna; though Ireton, after several fruitless attempts, deceived the vigilance of Castlehaven, and established himself on the right bank of the Shannon; and though a party within the walls laboured to represent their parliamentary enemies as the advocates of universal toleration; nothing could shake the constancy of the citizens and the garrison. They harassed the besiegers by repeated sorties; they repelled every assault; and on one occasion they destroyed the whole corps, which had been landed on "the island." Even after the fatal battle of Worcester, to a se-

Siege of Limerick.

1651. June 11.

July 15.

* Clanricard, 36—41. 47. 50—54. 58. Also Ponce, 111—124.
† Thurloe, ii. 90. 115. 127. 136. 611.

cond summons they returned a spirited refusal. But in October a reinforcement of three thousand men from England arrived in the camp; a battery was formed of the heavy cannon landed from the shipping in the harbour; and a wide breach in the wall admonished the inhabitants to prepare for an assault. In this moment of suspense, with the dreadful example of Drogheda and Wexford before their eyes, they met at the town-hall. It was in vain that O'Nial remonstrated; that the bishops of Limerick and Emly entreated and threatened; Stretch, the mayor, gave the keys to colonel Fennel, who seized St. John's gate, turned the cannon on the city, and admitted two hundred of the besiegers. A treaty was now concluded; and, if the garrison and inhabitants preserved their lives and property, it was by abandoning twenty-two individuals to the mercy of the conqueror. Of these some made their escape: the bishop of Emly, Wolf, a Franciscan friar, major-general Purcell, Barrow, a member of the council, and Stretch, the mayor of the city, were immolated as an atonement for the obstinate resistance of the besiegers. By Ireton O'Nial was also doomed to die, but the officer who formed the court, in admiration of his gallantry, sought to save his life. Twice they condemned him in obedience to the commander-in-chief, who pronounced his spirited defence of Clonmell an unpardonable crime against the state; but the third time the deputy was persuaded to leave them to the exercise of their own judgment, and they pronounced in favour of their brave but unfortunate captive. Ireton himself did not long survive his victims. He was carried off by the pestilential disease which ravaged the west of Ireland; and his death proved a severe loss to the commonwealth, not only on account of his abilities as an officer and a statesman, but because it removed the principal check to the inordinate ambition of Cromwell.* Oct. 23. Oct. 27. Nov. 25.

During the next winter the confederates had leisure to reflect on their forlorn condition. Charles indeed, a second time an exile, solicited them to persevere;† but it was difficult to persuade men to hazard their lives and fortunes without the remotest Submission of the Irish. 1652. Jan. 31.

* Ludlow, i. 293. 6. 8, 9 300. 7. 310. 316—324. Heath, 304, 5. Ireton's Letter, printed by Field, 1651. Carte, ii. 154. The parliament ordered Ireton's body to be interred at the public expense. It was conveyed from Ireland to Bristol, and thence to London; lay in state in Somerset-house, and on February 6th, was buried in Henry the Seventh's chapel. Heath, 305.

† Clanricard, 51.

prospect of benefit to themselves or to the royal cause; and in the month of March colonel Fitzpatric, a celebrated chieftain in the county of Meath, laid down his arms, and obtained in return the possession of his estate. The example alarmed the confederates; and Clanricard, in their name, proposed a general capitulation: it was refused by the stern policy of Ludlow, who assumed the command on the death of Ireton; a succession of surrenders followed; and O'Dwyer, the town of Galway, Thurlogh, O'Nial, and the earl of Westmeath, accepted the terms dictated by the enemy; which were safety for their persons and personal property, the restoration of part of their landed estates, according to the qualifications to be determined by parliament, and permission to reside within the commonwealth, or to enter with a certain number of followers into the service of any foreign prince in amity with England. The benefit of these articles did not extend to persons who had taken up arms in the first year of the contest, or had belonged to the first general assembly, or had committed murder, or had taken orders in the church of Rome. There were, however, several who, in obedience to the instructions received from Charles, resolved to continue hostilities to the last extremity. Lord Muskerry collected five thousand men on the borders of Cork and Kerry: he was obliged to retire before his opponents: his strong fortress of Ross opened its gates; and, after some hesitation, he made his submission. In the north, Clanricard reduced Ballyshannon and Donnegal: but there his career ended; and Coote drove him into the Isle of Carrick, where he was compelled to accept the usual conditions. The last chieftain of note who braved the arms of the commonwealth was colonel Richard Grace: he beat up the enemy's quarters; but was afterwards driven across the Shannon with the loss of eight hundred of his followers. Colonel Sanchey pursued him into his favourite retreat; his castle of Inchlough surrendered, and Grace capitulated with twelve hundred and fifty men.* There still remained a few straggling parties on the mountains and amidst the morasses under Mac Hugh, and Byrne, and O'Brien, and Cavanagh: these, however, were

March 7.
March 24.
July 5.
May 18.
July.
June 20.
Aug. 1.

* On this gallant and honourable officer, who on several subsequent occasions displayed the most devoted attachment to the house of Stuart, see a very interesting article in Mr. Sheffield Grace's "Memoirs of the Family of Grace," p. 27.

subdued in the course of the winter; the Isle of Inisbouffin received a garrison, and a new force, which appeared in Ulster, under the lord Iniskilling, obtained, what was chiefly sought, the usual articles of transportation. The subjugation of Ireland was completed.* 1653. Jan. May 18.

2. Here, to prevent subsequent interruption, I may be allowed to describe the state of this unhappy country, while it remained under the sway of the commonwealth. State of Ireland.

On the death of Ireton, Lambert had been appointed lord-deputy: by means of a female intrigue he was set aside in favour of Fleetwood, who had married Ireton's widow.† To Fleetwood was assigned the command of the forces without a colleague, but in the civil administration were joined with him four other commissioners, Ludlow, Corbett, Jones, and Weaver. By their instructions they were commanded and authorised to observe, as far as it was possible, the laws of England in the exercise of the government and the administration of justice; to "endeavour the promulgation of the gospel, and the power of true religion and holiness;" to remove all disaffected or suspected persons from office; to allow no papist or delinquent to hold any place of trust, to practise as barrister or solicitor, or to keep school for the education of youth; to impose monthly assessments not exceeding 40,000*l.* in amount for the payment of the forces, and to imprison or discharge any person, or remove him from his dwelling into any other place or country, or permit him to return to his dwelling, as they should see cause for the advantage of the commonwealth.‡ 1652. Aug. 24.

* Ludlow, i. 341. 4. 7. 352. 4. 7. 9. 360. Heath, 310. 312. 324. 333. 344. Journals, Ap. 8. 21, May 18. 25, Aug. 18.

† Journals, Jan. 30, June 15, July 9. Lambert's wife and Ireton's widow met me in the park. The first, as her husband was in possession, claimed the precedency, and the latter complained of the grievance to Cromwell, her father. Cromwell, as his patent of lord-lieutenant was on the point of expiring, refused to renew it: there could be no deputy where there was no lieutenant; and Lambert's appointment of deputy was in consequence revoked. But Mrs. Ireton was not content with this triumph over her rival. She married Fleetwood, obtained for him the chief command in place of Lambert, and returned with him to her former station in Ireland. Cromwell, however, paid for the gratification of his daughter's vanity. That he might not forfeit the friendship of Lambert, whose aid was necessary for his ulterior designs, he presented him with a considerable sum to defray the charges of the preparations which he had made for his intended voyage to Ireland. Ludlow, i. 365, 350. Hutchinson, 196. Lambert, however, afterwards discovered that Cromwell had secretly instigated Vane and Haslerig to oppose his going to Ireland, and, in revenge, joined with them to depose Richard Cromwell for the sin of his father. Thurloe, vii. 660.

‡ Journals, Aug. 24.

Trials before the high court of justice.

I. One of the first cares of the commissioners was to satisfy the claims of vengeance. In the year 1644 the catholic nobility had petitioned the king that an inquiry might be made into the murders alleged to have been perpetrated on each side in Ireland, and that justice might be executed on the offenders without distinction of country or religion. To the conquerors it appeared more expedient to confine the inquiry to one party; and a high court of justice was established to try all catholics charged with having shed the blood of any protestant out of battle since the commencement of the rebellion in 1641. Donnelan, a native, was appointed president, with commissary-general Reynolds, and Cook, who had acted as solicitor at the trial of Charles I., for his assessors. The court sate in great state at Kilkenny, and thence made its circuit through the island by Waterford, Cork, Dublin, and other places. Of the justice of its proceedings we have not the means of forming a satisfactory notion: but the cry for blood was too violent, the passions of men were too much excited, and the forms of proceeding too summary to allow the judges to weigh with cool and cautious discrimination the different cases which came before them. Lords Muskerry and Clanmaliere, with Maccarthy Reagh, whether they owed it to their innocence or to the influence of friends, had the good fortune to be acquitted; the mother of colonel Fitzpatric was burnt; Lord Mayo, colonels Tool, Bagnal, and about two hundred more, suffered death by the axe or by the halter. It was, however, remarkable, that the greatest deficiency of proof occurred in the province where the principal massacres were said to have been committed. Of the men of Ulster, sir Phelim O'Neal is the only one whose conviction and execution has been recorded.*

Transportation of the natives.

II. Cromwell had not been long in the island before he discovered that it was impossible to accomplish the original design of extirpating the catholic population; and he, therefore, adopted the expedient of allowing their leaders to expatriate themselves and a portion of their countrymen, by entering into the service of foreign powers. This plan was followed by his successors in the war, and was perfected by an act of parliament, banishing all the catholic officers. Each chieftain, when he surrendered, stipulated for a certain number of men; every facility was furnished him to complete his levy; and

* Ludlow, ii. 2. 5. 8—Heath, 332, 3.

the exiles hastened to risk their lives in the service of the catholic powers who hired them; many in that of Spain, others of France, others of Austria, and some of the republic of Venice. Thus the obnoxious population was reduced by the number of thirty, perhaps forty thousand able-bodied men; but it soon became a question how to dispose of their wives and families, of the wives and families of those who had perished by the ravages of disease and the casualties of war, and of the multitudes who, chased from their homes and employments, were reduced to a state of utter destitution. These at different times, to the amount of several thousands, were collected in bodies, driven on shipboard, and conveyed to the West Indies.* Yet with all these drains on the one party, and the continual accession of English and Scottish colonists on the other, the catholic was found to exceed the protestant population in the proportion of eight to one.† Cromwell, when he had reached the zenith of his power, had recourse to a new expedient. He repeatedly solicited the fugitives, who, in the reign of the late king, had settled in New England, to abandon their plantations and accept of lands in Ireland. On their refusal, he made the same offer to the Vaudois, the protestants of Piedmont, but was equally unsuccessful. They preferred their native vallies, though under the government of a catholic sovereign whose enmity they had provoked, to the green fields of Erin, and all the benefits which they might derive from the fostering care and religious creed of the protector.‡

* According to Petty (p. 187) six thousand boys and women were sent away. Lynch (Cambrensis Eversus, in fine,) says that they were sold for slaves. Bruodin, in his Propugnaculum, (Pragæ, anno 1669) numbers the exiles at one hundred thousand. Ultra centum millia omnis sextus et ætatis, e quibus aliquot millia in diversas Americæ tabaccarias insulas relegata sunt, p. 692. In a letter in my possession, written in 1656, it is said: catholicos pauperes plenis navibus mittunt in Barbados et insulas Americæ. Credo jam sexagista millia abivisse. Expulsis enim ab initio in Hispaniam et Belgium maritis, jam uxores et proles in Americam destinantur.—After the conquest of Jamaica in 1655 the protector, that he might people it, resolved to transport a thousand Irish boys and a thousand Irish girls to the island. At first, the young women only were demanded: to which it is replied: "Although we must use force in taking them up, yet, it being so much for their own good, and likely to be of so great advantage to the public, it is not in the least doubted that you may have such number of them as you shall think fit." Thurloe, iv. 22. In the next letter H. Cromwell says: "I think it might be of like advantage to your affairs there, and ours here, if you should think fit to send one thousand five hundred or two thousand young boys of twelve or fourteen years of age to the place aforementioned. We could well spare them, and they would be of use to you; and who knows but it may be a means to make them Englishmen, I mean rather Christians." (p. 40.) Thurloe answers: "The committee of the council have voted one thousand girls, and as many youths, to be taken up for that purpose." p. 75.

† Petty, Polit. Anatomy, 29.

‡ Hutchinson, Hist. of Massachusets, 190. Thurloe, iii. 459.

First act of settlement. Aug. 12.

III. By an act, entitled an act for the settlement of Ireland, the parliament divided the royalists and catholics into different classes, and allotted to each class an appropriate degree of punishment. Forfeiture of life and estate was pronounced against all the great proprietors of lands, banishment against those who had accepted commissions; the forfeiture of two thirds of their estates against all who had borne arms under the confederates or the king's lieutenant, and the forfeiture of one third against all persons whomsoever who had not been in the actual service of parliament, or had not displayed their constant good affection to the commonwealth of England. This was the doom of persons of property: to all others, whose estates, real and personal, did not amount to the value of 10*l.*, a full and free pardon was graciously offered,*

Second act of settlement.

Care, however, was taken that the third parts, which by this act were to be restored to the original proprietors, were not to be allotted to them out of their former estates, but "in such places as the parliament, for the more effectual settlement of the peace of the nation, should think fit to appoint." When the first plan of extermination had failed, another project was adopted of confining the catholic landholders to Connaught and Clare, beyond the river Shannon, and of dividing the remainder of the island, Leinster, Munster, and Ulster, among protestant colonists. This, it was said, would prevent the quarrels which must otherwise arise between the new planters and the ancient owners; it would render rebellion more difficult and less formidable; and it would break the hereditary influence of the chiefs over their septs, and of the landlords over their tenants. Accordingly the little parliament, called by Cromwell and his officers, passed a second act, which assigned to all persons claiming under the qualifications described in the former, a proportionate quantity of land on the right bank of the Shannon; set aside the counties of Limerick, Tipperary, and Waterford in Munster; of King's County, Queen's County, west Meath, and east Meath in Leinster, and of Down, Antrim, and Armagh in Ulster, to satisfy in equal shares the English adventurers who had subscribed money in the beginning of the contest, and the arrears of the army that had served in Ireland since Cromwell took

1653. Sep. 26.

* Journals, Aug. 12, 1652. Scobell, 197. Ludlow, i. 370. In the appendix I have copied this act correctly from the original in the possession of Thomas Lloyd, Esq. See note (B).

the command; reserved for the future disposal of the government the forfeitures in the counties of Dublin, Cork, Kildare, and Carlow; and charged those in the remaining counties with the deficiency, if there should be any, in the first ten, with the liquidation of several public debts, and with the arrears of the Irish army contracted previously to the battle of Rathmines.

Transplantation.

To carry this act into execution, the commissioners, by successive proclamations, ordered all persons who claimed under qualifications, and, in addition, all who had borne arms against the parliament, to "remove and transplant" themselves into Connaught and Clare before the 1st of May, 1654.* How many prevailed on themselves to obey, is unknown; but that they amounted to a considerable number is plain from the fact that the lands allotted to them in lieu of their third portions extended to more than eight hundred thousand English acres. Many, however, refused. Retiring into bogs and fastnesses, they formed bodies of armed men, and supported themselves and their followers by the depredations which they committed on the occupiers of their estates. They were called Rapperees and Tories;† and so formidable did they become to the new settlers, that, in certain districts, the sum of 200*l.* was offered for the head of the leader of the band, and that of 40*l.* for the head of any one of the privates.‡

Oppressive laws.

To maintain this system of spoliation, and to coerce the vindictive passions of the natives, it became necessary to establish martial law, and to enforce regulations the most arbitrary and oppressive. No catholic was permitted to reside within any garrison or market town, or to remove more than one mile from his own dwelling without a passport describing his person, age, and occupation; every meeting of four persons besides the family was pronounced an illegal and treasonable assembly; to carry arms, or to have arms at home, was made a capital offence: and any transplanted Irishman, who was found on the left bank of the Shannon, might be put to death by the first person who met him, without the order of a magistrate. Seldom has any

* See on this question "The Great Subject of Transplantation in Ireland Discussed," 1654. Laurence, "The Interest of England in the Irish Transplantation Stated," 1654; and the answer to Laurence by Vincent Gookin, the author of the first tract.

† This celebrated party name, "Tory," is derived from "toruighim," to pursue for the sake of plunder. O'Conor, Bib. Stowensis, ii. 460.

‡ Burton's Diary, ii. 210.

nation been reduced to a state of bondage more galling and oppressive. Under the pretence of the violation of these laws, their feelings were outraged, and their blood was shed with impunity. They held their property, their liberty, and their lives, at the will of the petty despots around them, foreign planters, and the commanders of military posts, who were stimulated by revenge and interest to depress and exterminate the native population.*

Breach of Articles.

The religion of the Irish proved an additional source of solicitude to their fanatical conquerors. By one of the articles concluded with lord Westmeath, it was stipulated that all the inhabitants of Ireland should enjoy the benefit of an act lately passed in England "to relieve peaceable persons from the rigours of former acts in matters of religion;" and that no Irish recusant should be compelled to assist at any form of service contrary to his conscience. When the treaty was presented for ratification, this concession shocked and scandalized the piety of the saints. The first part was instantly negatived; and, if the second was carried by a small majority through the efforts of Marten and Vane, it was with a proviso that "the article should not give any the least allowance, or countenance, or toleration to the exercise of the catholic worship in any manner whatsoever."†

Religious persecution. 1653. Jan. 6.

In the spirit of these votes, the civil commissioners ordered by proclamation all catholic clergymen to quit Ireland within twenty days under the penalties of high treason, and forbad all other persons to harbour any such clergymen under the pain of death. Additional provisions tending to the same object followed in succession. Whoever knew of the concealment of a priest, and did not reveal it to the proper authorities, was made liable to the punishment of a public whipping and the amputation of his ears; to be absent on a Sunday from the service at the parish church subjected the offender to a fine of thirty pence; and the magistrates were authorized to take away the children of catholics and send them to England for education, and to tender the oath of abjuration to all persons of the age of one and twenty years, the refusal of which subjected them to imprisonment during pleasure, and to

* Bruodin, 693. Hibernia Dominicana, 706.
† Journals, 1652, June 1.

the forfeiture of two-thirds of their estates real and personal.*

During this period the catholic clergy were exposed to a persecution far more severe than had ever been previously experienced in the island. In former times the chief governors dared not execute with severity the laws against the catholic priesthood, and the fugitives easily found security on the estates of the great landed proprietors. But now the Irish people lay prostrate at the feet of their conquerors; the military were distributed in small bodies over the country; their vigilance was sharpened by religious antipathy and the hope of reward; and the means of detection were facilitated by the prohibition of travelling without a licence from the magistrates. Of the many priests who still remained in the country several were discovered, and punished at the gallows; those who escaped detection concealed themselves in the caverns of the mountains, or in lonely hovels raised in the midst of the morasses, whence they issued during the night to carry the consolations of religion to the huts of their oppressed and suffering countrymen.†

3. In Scotland, the power of the commonwealth was as firmly established as in Ireland. When Cromwell hastened in pursuit of the king to Worcester, he left Monk with eight thousand men to complete the conquest of the kingdom. Monk invested Stirling; and the highlanders who composed the garrison, alarmed by the explosion of the shells from the batteries, compelled the governor to capitulate. The maiden castle, which had never been violated by the presence of a conqueror,‡ submitted to the English "sectaries;" and, what was still more humbling to the pride of the nation, the royal robes, part of the regalia, and the national records, were irreverently torn from their repositories, and sent to London as the trophies of victory. Thence the English general proceeded to Dundee, where he received a proud defiance from Lumsden, the governor. During the preparations for the assault, he learned that the Scottish lords,

Subjugation of Scotland.

1651. Aug. 14.

* Hibernia Dominicana, 707. Bruodin, 696. Porter, Compendium Annalium Ecclesiasticorum (Romæ, 690,) p. 292.

† MS. letters in my possession. Bruodin, 696. A proclamation was also issued ordering all nuns to marry or leave Ireland. They were successively transported to Belgium, France, and Spain, where they were hospitably received in the convents of their respective orders.

‡ "Hæc nobis invicta tulerunt centum sex proavi, 1617," was the boasting inscription which king James had engraved on the wall. Echard, 697.

whom Charles had entrusted with the government in his absence, were holding an assembly at Ellet, in Angus. By his order a thousand horse, under the colonels Alured and Morgan, aided, as it was believed, by treachery, entered Ellet at four in the morning. Three hundred prisoners were made, including the two committees of the estates and the kirk, several peers, and all the gentry of the neighbourhood; and these, with such other individuals as the general deemed hostile and dangerous to the commonwealth, followed the records of their country to the English capital. At Dundee a breach was soon made in the wall: the defenders shrunk from the charge of the assailants; and the governor and garrison were massacred. I must leave it to the imagination of the reader to supply the sufferings of the inhabitants from the violence, the lust, and the rapacity of their victorious enemy. In Dundee, on account of its superior strength, many had deposited their most valuable effects; and all these, with sixty ships and their cargoes in the harbour, became the rewards of the conquerors.*

Aug. 28.

Sep. 1.

Warned by this awful example, St. Andrews, Aberdeen, Montrose, opened their gates; the earl of Huntley and lord Balcarras submitted; the few remaining fortresses capitulated in succession; and if Argyle, in the midst of his clan, maintained a precarious and temporary independence, it was not that he cherished the expectation of evading the yoke, but that he sought to draw from the parliament the acknowledgment of a debt which he claimed of the English government.† To destroy the prospect, by showing the hopelessness of resistance, the army was successively augmented to the amount of twenty thousand men:‡ citadels were marked out to be built of stone at Ayr, Leith, Perth, and Inverness; and a long chain of military stations drawn across the highlands

Attempt to incorporate it with England.

* Heath, 301, 2. Whitelock, 508. Journals, Aug. 27. Balfour, iv. 314, 315. "Mounche commaundit all, of quhatsummeuer sex, to be putt to the edge of the suord. Ther wer 800 inhabitants and souldiers killed, and about 200 women and children. The plounder and buttie they gatte in the toune, exceided 2 millions and a halffe" (about 200,000*l.*). That, however, the whole garrison was not put to the sword appears from the mention in the Journals (Sep. 12) of a list of officers made prisoners. Lumsden had quarter given him by captain Kelly; but, as the latter conducted him along the street to Monk, he was shot dead by major Butler. Echard, 698.

† Balfour, iv. 315. Heath, 304. 308. 310. 313. Whitelock, 514. 534. 543.

‡ Journals, Dec. 2, 1652.

served to curb, if it did not tame, the fierce and indignant spirit of the natives. The parliament declared the lands and goods of the crown public property, and confiscated the estates of all who had joined the king or the duke of Hamilton in their invasions of England, unless they were engaged in trade and worth no more than 5*l.*, or not engaged in trade and worth only 100*l.* All authority derived from any other source than the parliament of England was abolished by proclamation; the different sheriffs and civil officers of doubtful fidelity were removed for others attached to the commonwealth; a yearly tax of 130,000*l.* was imposed in lieu of free quarters for the support of the army; and English judges, assisted by three or four natives, were appointed to go the circuits, and supersede the courts of session.* With grief and shame the Scots submitted to these innovations: but the resolution to incorporate the two countries into one commonwealth, without kingly government or the aristocratical influence of a house of peers, was thought to fill up the measure of national misery. There is a pride in the independence of his country of which even the peasant is conscious; and in this case to national feeling the commands of religion were added. With the civil consequences of an union which would degrade Scotland to the state of a province, the ministers in their ecclesiastical capacity had no concern; but they forbad the people to give consent or support to the measure, because it was contrary to the covenant, and tended "to draw with it a subordination of the kirk to the state in the things of Christ."† The parliamentary commissioners (they were eight with St. John, and Vane at their head), secure of the power of the sword, derided the menaces of the kirk. They convened at Dalkeith the representatives of the counties and burghs, who were ordered to bring with them full

1652. Jan. 31.

* Ludlow, 345. Heat, 313. 325. Whitelock, 528. 542. Journals, Nov. 19. Leicester's Journal, 129. The English judges were astonished at the spirit of litigation and revenge which the Scots displayed during the circuit. More than one thousand individuals were accused before them of adultery, incest, and other offences, which they had been obliged to confess in the kirk during the last twenty or thirty years. When no other proof was brought, the charge was dismissed. In like manner sixty persons were charged with witchcraft. These also were acquitted; for, though they had confessed the offence, the confession had been drawn from them by torture. It was usual to tie up the supposed witch by the thumbs, and whip her till she confessed; or to put the flame of a candle to the soles of the feet, between the toes, or to parts of the head, or to make the accused wear a hair shirt steeped in vinegar, etc. See Whitelock, 543, 4, 5. 7, 8.

† Whitelock, 521. Heath, 307.

powers to treat and conclude respecting the incorporation of the two countries. Twenty-eight out of thirty shires, and forty-four out of fifty-eight burghs, gave their consent; and the result was a second meeting at Edinburgh, in which twenty-one deputies were chosen to arrange the conditions with the parliamentary commissioners at Westminster. There conferences were held, and many articles discussed, but, before the plan could be amicably adjusted, the parliament itself, with all its projects, was overturned by the successful ambition of Cromwell.*

Sep. 22.
Oct. 12.

Transactions with Portugal.

4. From the conquest of Ireland and Scotland we may now turn to the transactions between the commonwealth and foreign powers. The king of Portugal was the first who provoked its anger, and felt its vengeance. At an early period in 1649 prince Rupert, with the fleet which had revolted from the parliament to the late king, sailed from the Texel, swept the Irish channel, and inflicted severe injuries on the English commerce. Vane, to whose industry had been committed the care of the naval department, made every exertion to equip a formidable armament, the command of which was given to three military officers, Blake, Dean, and Popham. Rupert retired before this superior force to the harbour of Kinsale: the batteries kept his enemies at bay; and the Irish supplied him with men and provisions. At length the victories of Cromwell by land admonished him to quit his asylum: and, with the loss of three ships, he burst through the blockading squadron, sailed to the coast of Spain, and during the winter months sought shelter in the waters of the Tagus. In spring, Blake appeared with eighteen men of war at the mouth of the river: to his request that he might be allowed to attack the pirate at his anchorage, he received from the king of Portugal a peremptory refusal; and his attempt to force his way up the river was driven back by the fire from the batteries. In obedience to his instructions he revenged himself on the Portuguese trade, and Don John, by way of reprisal, arrested the English merchants, and took possession of their effects. Alarmed, however, by the losses of his subjects, he compelled Rupert to quit the Tagus,† and despatch-

1649. March.
May.
Oct. 1650. March.

* Journals, 1652, Sep. 15, 29; Oct. 29; Nov. 23.

† Thurloe, i. 134 142. 155. Heath, 254. 6. 275. Whitelock, 406. 429. 449. 463. 476. Clarendon, iii. 338. Rupert sailed into the Mediterranean, and maintained himself by piracy, capturing not only English but Spanish

ed an envoy, named Guimaraes, to solicit an accommodation. Every paper which passed between this minister and the commissioners was submitted to the parliament, and by it approved, or modified, or rejected. Guimaraes subscribed to the preliminaries demanded by the council, that the English merchants arrested in Portugal should be set at liberty; that they should receive an indemnification for their losses; and that the king of Portugal should pay a sum of money towards the charges of the English fleet; but he protracted the negociation by disputing dates and details, and was haughtily commanded to quit the territory of the commonwealth. Humbling as it was to Don John, he had no resource: the conde de Camera was sent, with the title of ambassador extraordinary; he assented to every demand; but the progress of the treaty was interrupted by the usurpation of Cromwell, and another year elapsed before it was concluded. By it valuable privileges were granted to the English traders; four commissioners, two English and two Portuguese, were appointed to settle all claims against the Portuguese government; and it was agreed that an English commissary should receive one half of all the duties paid by the English merchants in the ports of Portugal, to provide a sufficient fund for the liquidation of the debt.*

Oct. Dec. 17. 1651. April 4. April 22. May 16. 1652. July 7. 1653. Jan. 6. 1654. July 10. July 14.

5. To Charles I. (nor will it surprise us, if we recollect his treatment of the Infanta,) the court of Spain had always behaved with coldness and reserve. The ambassador Cardenas continued to reside in London, even after the king's execution, and was the first foreign minister whom the parliament honoured with a public audience. He made is his chief object to cement the friendship between the commonwealth and his own country; he saw with pleasure the hostility of the former against Portugal and the United Provinces, the ancient enemies of Spain; and

With Spain.

and Genoese ships. All who did not favour him were considered as enemies. Driven from the Mediterranean by the English, he sailed to the West Indies, where he inflicted greater losses on the Spanish than the English trade. Here his brother, prince Maurice, perished in a storm; and Rupert, unable to oppose his enemies with any hope of success, returned to Europe, and anchored in the harbour of Nantes, in March, 1652. He sold his two men of war to cardinal Mazarine. Heath, 337. Whitelock, 552. Clarendon, iii. 513. 520.

* Journals, 1650, Dec. 17. 1651, Ap. 4. 11. 22, 2 May 7 13. 16 1652, Sep. 20. Dec. 15. 1653, Jan. 5. Whitelock, 486. Dumont, vi. p. ii. 82.

he procured the assent of his sovereign that an accredited minister from the parliament should be admitted by the court of Madrid. The individual selected for this office was Ascham, a man who by his writings had rendered himself peculiarly obnoxious to the royalists. He landed near Cadiz; proceeded under an escort for his protection to Madrid; and repaired to an inn, till a suitable residence could be procured. The next day, while he was sitting at dinner with Riba, a renegado friar, his interpreter, six Englishmen entered the house: four remained below to watch, two burst into the room, exclaiming, "welcome, gallants, welcome," and in a moment both the ambassador and the interpreter lay on the floor weltering in their blood. Of the assassins, one, a servant to Cottington and Hyde, the envoys from Charles, fled to the house of the Venetian ambassador, and escaped; the other five took refuge in a neighbouring chapel, whence, by the king's order, they were conducted to the common gaol. When the criminal process was ended, they all received judgment of death. The crime, it was acknowledged, could not be justified; yet the public feeling was in favour of the criminals: the people, the clergy, the foreign ambassadors, all sought to save them from punishment; and, though the right of sanctuary did not afford protection to murderers, the king was, but with difficulty, persuaded to send them back to their former asylum. Here, while they remained within its precincts, they were safe; but the moment they left the sanctuary, their lives became forfeited to the law. The people supplied them with provisions, and offered the means of escape. They left Madrid; the police pursued; Sparkes, a native of Hampshire, was taken about three miles from the city, and the parliament, unable to obtain more, appeared to be content with the blood of this single victim.*

1650. Jan. 31

April 3.

May 26. May 27.

6. These negociations ended peaceably: those between the commonwealth and the United Provinces, though commenced with friendly feelings, led to hostilities. It might have been expected that the Dutch mindful of the glorious struggle for liberty maintained by their fathers, would have viewed with exultation the triumph of the English republicans. But William the Second, prince of Orange, had married a daughter of

With the United Provinces.

* Compare Clarendon, iii. 369 with the papers in Thurloe, i. 148—153. 202, and Harleian Miscellany, iv. 280.

Charles I.: his views and interests were espoused by the military and the people; and his adherents possessed the ascendancy in the States General and in all the provincial states, excepting those of West-Friesland and Holland. As long as he lived, no atonement could be obtained for the murder of Dorislaus, no audience for Strickland, the resident ambassador, though that favour was repeatedly granted to Boswell, the envoy of Charles.* However, in November the prince died of the small-pox in his twenty-fourth year; and a few days later his widow was delivered of a son, William III., the same who subsequently ascended the throne of England. The infancy of his successor emboldened the democratical party: they abolished the office of stadtholder, and recovered the ascendancy in the government. On the news of this revolution, the council advised that St. John, the chief justice of the Common Pleas, and Strickland, the former envoy, should be appointed ambassadors extraordinary to the States General. St. John, with the fate of Ascham before his eyes, sought to escape this dangerous mission: he alleged the infirmity of his health and the insalubrity of the climate; but the parliament derided his timidity, and his petition was dimissed on a division by a considerable majority.†

1650. Nov. 6.

Nov. 14.

Negociation at the Hague.

1651. Jan. 28.

Among the numerous projects which the English leaders cherished under the intoxication of success, was that of forming, by the incorporation of the United Provinces with the commonwealth, a great and powerful republic, capable of striking terror into all the crowned heads of Europe. But so many difficulties were foreseen, so many objections raised, that the ambassadors received instructions to confine themselves to the more sober proposal of "a strict and intimate alliance and union," which might give to each "a mutual and intrinsical interest" in the prosperity of the other. They made their public entry into the Hague with a parade and retinue becoming the representatives of a powerful nation: but external splendour did not check the popular feeling, which expressed itself by groans and hisses, nor intimidate the royalists, who sought every occasion of insulting "the things called ambassadors."‡ The States had not forgotten

March 10.

* Thurloe, i. 112, 13, 14. 124.

† Journals, 1651, Jan. 21. 23. 28.

‡ Thus they are perpetually called in the correspondence of the royalists. Carte's Letters, i. 447, 469, ii. 11. Strickland's servants were attacked at his door by six cavaliers with drawn swords; an attempt was made to break into St. John's bedchamber; Edward, son to the queen of Bohemia,

the offensive delay of the parliament to answer their embassy of intercession for the life of Charles I.; nor did they brook the superiority which it now assumed, by prescribing a certain term within which the negociation should be concluded. Pride was met with equal pride: the ambassadors were compelled to solicit a prolongation of their powers, and the treaty began to proceed with greater rapidity. The English proposed a confederacy for the preservation of the liberties of each nation against all the enemies of either by sea and land, and a renewal of the whole treaty of 1495, with such modifications as might adapt it to existing times and circumstances. The States, having demanded in vain an explanation of the proposed confederacy, presented a counter project; but while the different articles remained under discussion, the period prefixed by the parliament expired, and the ambassadors departed. To whom the failure of the negociation was owing became a subject of controversy. The Hollanders blamed the abrupt and supercilious carriage of St. John and his colleague; the ambassadors charged the States with having purposely created delay, that they might not commit themselves by a treaty with the commonwealth before they had seen the issue of the contest between the king of Scotland and Oliver Cromwell.*

April 17. April 10. June 14. June 20.

Transferred to London.

In a short time that contest was decided in the battle of Worcester, and the States condescended to become petitioners in their turn. Their ambassadors arrived in England with the intention of resuming the negociation where it had been interrupted by the departure of St. John and his colleague. But circumstances were now changed: success had enlarged the pretension of the parliament; and the British, instead of shunning, courted a trial of strength with the Belgic lion. At the representation of certain merchants, who conceived themselves to have been injured by the Dutch navy, letters of marque had been granted to several individuals, and more than eighty prizes had been brought into the English ports.† In addition, the navi-

publicly called the ambassadors rogues and dogs; and the young duke of York accidentally meeting St. John, who refused to give way to him, snatched the ambassador's hat off his head, and threw it in his face, saying, "Learn, parricide, to respect the brother of your king." "I scorn," he replied "to acknowledge either, you race of vagabonds." The duke drew his sword, but mischief was prevented by the interference of the spectators. New Parl. Hist. iii. 364.

* Thurloe, i. 179. 183. 188—195. Heath, 285—287. Carte's Letters, i. 464. Leicester's Journal, 107. Parl. History xx. 469.

† It seems probable that the letters of marque were granted not against

gation act had been passed and carried into execution, by which it was enacted that no goods, the produce of Africa, Asia, and America, should be imported into this country in ships which were not the property of England or its colonies; and that no produce or manufacture of any part of Europe should be imported, unless in ships the property of England, or of the country of which such merchandize was the proper growth or manufacture.* Hitherto the Dutch had been the common carriers of Europe; by this act, the offspring of St. John's resentment, one great and lucrative branch of their commercial prosperity was lopped off, and the first, but fruitless demand of the ambassadors was that, if not repealed, it should at least be suspended during the negotiation. Oct. 9.

The Dutch merchants had solicited permission to indemnify themselves by reprisals; but the States ordered a numerous fleet to be equipped, and announced to all the neighbouring powers that their object was, not to make war, but to afford protection to their commerce. By the council of state, the communication was received as a menace; the English ships of war were ordered to exact in the narrow seas the same honour to the flag of the commonwealth as had been formerly paid to that of the king; and the ambassadors were reminded of the claim of indemnification for the losses sustained by the English in the East Indies, and of the tenth herring which was due from the Dutch fishermen for the permission to exercise their trade in the British seas.

While the conferences were yet pending, commodore Young met a fleet of Dutch merchantmen under convoy in the Channel; and, after a sharp action, compelled the men of war to salute the English flag. A few days later the celebrated Van Tromp appeared with two-and-forty sail in the Downs. To Bourne, the English commander, he apologized for his arrival, which, he said, was not with any hostile design, but in consequence of the loss of several anchors and cables on the opposite coast. Rencontre between Blake and Van Tromp. 1652. May 14. May 18.

the Dutch but the French, as had been done for some time, and that the Dutch vessels were detained under pretence of their having French property on board. Suivant les prétextes de représailles contre les François et autres. Dumont, vi. ii. 32.

* An exception was made in favour of commodities from the Levant seas, the East-Indies, and the ports of Spain and Portugal, which might be imported from the usual places of trading, though they were not the growth of the said places. The penalty was the forfeiture of the ship and cargo, one moiety to the commonwealth, the other to the prosecutor. New Parl. Hist. iii. 1374.

May 19. The next day he met Blake off the harbour of Dover: an action took place between the rival commanders; and, when the fleets separated in the evening, the English cut off two ships of thirty guns, one of which they took, the other they abandoned on account of the damage which it had received.

It was a question of some importance who was the aggressor. By Blake it was asserted that Van Tromp had gratuitously come to insult the English fleet in its own roads; and had provoked the engagement by firing the first broadside. The Dutchman replied, that he was cruising for the protection of trade; that the weather had driven him on the English coast; that he had no thought of fighting till he received the fire of Blake's ships; and that, during the action, he had carefully kept on the defensive, though he might with his great superiority of force have annihilated the assailants.*

The States deprecate a rupture.

The reader will probably think, that those who submitted to solicit the continuance of peace were not the first to seek the commencement of hostilities. Immediately after the action at sea, the council ordered the English commanders to pursue, attack, and destroy all vessels the property of the United Provinces; and in the course of a month more than seventy sail of merchantmen, besides several men of war, were captured, stranded, or burnt. The Dutch, on the contrary, abstained from reprisals; their ambassadors thrice assured the council that the battle had happened without the knowledge, and to the deep regret of the States; and on each occasion earnestly deprecated the adoption of hasty and violent measures, which might lead to consequences highly prejudicial to both nations. They received an answer, which, assuming it as proved that the States intended to usurp the rights of England on the sea, and to destroy the navy, the bulwark of those rights, declared that it was the duty of parliament to seek reparation for the past and security for the future.

May 14. May 27. June 3. June 5.

* The great argument of the parliament in their declaration is the following: Tromp came out of his way to meet the English fleet, and fired on Blake without provocation. The States did not punish him but retained him in the command; therefore he acted by their orders, and the war was begun by them. Each of these assertions was denied on the other side. Tromp showed the reasons which led him into the track of the English fleet; and the States asserted, from the evidence before them, that Tromp had ordered his sails to be lowered, and was employed in getting ready his boat to compliment the English admiral at the time when he received a broadside from the impatience of Blake. Dumont, vi. p. ii. 33. Le Clerc, i. 315. 7. Basnage, i. 254.

Soon afterwards Pauw, the grand pensionary, arrived. He repeated with the most solemn asseverations from his own knowledge the statement of the ambassadors; proposed that a court of inquiry, consisting of an equal number of commissioners from each nation, should be appointed, and exemplary punishment inflicted on the officer who should be found to have provoked the engagement; and demanded that hostilities should cease, and the negociation be resumed. Receiving no other answer than had been already given to his colleagues, he asked what was meant by "reparation and security;" and was told by order of parliament, that the English government expected full compensation for all the charges to which it had been put by the preparations and attempts of the States, and hoped to meet with security for the future in an alliance which should render the interests of both nations consistent with each other. These, it was evident, were conditions to which the pride of the States would refuse to stoop: Pauw demanded an audience to take leave of the parliament; and all hope of a reconciliation vanished.* June 11. June 17. June 25. June 30.

Commencement of hostilities.

If the Dutch had hitherto solicited peace, it was not that they feared the result of war. The sea was their native element; and the fact of their maritime superiority had long been openly or tacitly acknowledged by all the powers of Europe. But they wisely judged that no victory by sea could repay them for the losses which they must sustain from the extinction of their fishing trade, and the suspension of their commerce.† For the commonwealth, on the other hand, it was fortunate that the depredations of prince Rupert had turned the attention of the leaders to naval concerns. Their fleet had been four years in commission: the officers and men were actuated by the same spirit of civil liberty and religious enthusiasm which distinguished the land army: Ayscue had just returned from the reduction of Barbadoes with a powerful squadron; and fifty additional ships were ordered to be equipped, an object easily accomplished at a time when any merchantman capable of carrying guns could, with a few alterations, be converted into a man of war.‡ Ayscue

* Compare the declaration of parliament of July 9 with that of the States General of Aug. 2, July 23. See also Whitelock, 537. Heath, 315—322. The Journals, June 5. 11. 25. 30; and Le Clerc, i. 318—321.

† The fishery employed in various ways 100,000 persons. Le Clerc, 321.

‡ From a list of hired merchantmen converted into men of war, it appears that a ship of nine hundred tons burthen made a man of war of sixty guns; one of seven hundred tons a man of war of forty-six; four hundred,

with the smaller division of the fleet remained at home to scour the channel. Blake sailed to the north, captured the squadron appointed to protect the Dutch fishing vessels, exacted from the busses the duty of every tenth herring, and sent them home with a prohibition to fish again without a licence from the English government. In the mean while Van Tromp sailed from the Texel with seventy men of war. It was expected in Holland that he would sweep the English navy from the face of the ocean. His first attempt was to surprise Ayscue, who was saved by a calm followed by a change of wind. He then sailed to the north to meet Blake. But his fleet was dispersed by a storm: five of his frigates fell into the hands of the English; and on his return he was received with murmurs and reproaches by the populace. Indignant at a treatment which he had not deserved, he justified his conduct before the States, and then laid down his commission.*

Success of De Ruyter. Aug. 16.

De Ruyter, a name almost equally illustrious on the ocean, was appointed his successor. That officer sailed to the mouth of the channel, took under his charge a fleet of merchantmen, and on his return was opposed by Ayscue with nearly an equal force. The English commander burst through the enemy, and was followed by nine sail: the rest of the fleet took no share in the action, and the convoy escaped. The blame rested not with Ayscue, but with his inferior officers: but the council took the opportunity to lay him aside, not that they doubted his courage or abilities, but because he was suspected of a secret leaning to the royal cause. To console him for his disgrace, he received a present of 300*l.*, with a grant of land of the same annual rent in Ireland.†

Sep. 28.

De Witte now joined De Ruyter, and took the command. Blake accepted the challenge of battle, and night alone separated the combatants. The next morning the Dutch fled, and were pursued as far as the Goree. Their ships were in general of smaller dimensions, and drew less water than those of their adversaries, who dared not follow among the numerous sandbanks with which the coast is studded.‡

of thirty-four; two hundred, of twenty; one hundred, of ten; sixty, of eight; and that about five or six men were allowed for each gun. Journals, 1651, May 29.

* Whitelock, 538, 9, 540, 1. Heath, 322. Le Clerc, i. 321.

† Heath, 323. Le Clerc, i. 322.

‡ Heath, 326. Ludlow, i. 367. Whitelock, 545. Le Clerc, i. 324.

Blake, supposing that naval operations would be suspended during the winter, had detached several squadrons to different ports, and was riding in the Downs with thirty-seven sail, when he was surprised by the appearance of a hostile fleet of double that number, under the command of Van Tromp, whose wounded pride had been appeased by a new commission. A mistaken sense of honour induced the English admiral to engage in the unequal contest. The battle raged from eleven in the morning till night. The English, though they burnt a large ship and disabled two others, had lost five sail either sunk or taken; and Blake, under cover of the darkness, ran up the river as far as Leigh. Van Tromp sought his enemy at Harwich and Yarmouth; returning, he insulted the coast as he passed; and continued to cruise backwards and forwards from the North Foreland to the Isle of Wight.*

Of Van Tromp over Blake. Nov. 29. Nov. 30.

The parliament made every exertion to wipe away this disgrace. The ships were speedily refitted; two regiments of infantry embarked to act as marines; a bounty was offered for volunteers; the wages of the seamen were raised; provision was made for their families during their absence on service; a new rate for the division of prize money was established; and, in aid of Blake, two officers, whose abilities had been already tried, Deane and Monk, received the joint command of the fleet. On the other hand, the Dutch were intoxicated with their success: they announced it to the world in prints, poems, and publications; and Van Tromp affixed a broom to the head of his mast as an emblem of his triumph. He had gone to the Isle of Rhée to take the homeward bound trade under his charge, with orders to resume his station at the mouth of the Thames, and to prevent the egress of the English. But Blake had already stationed himself with more than seventy sail across the channel opposite the Isle of Portland to intercept the return of the enemy. On the eighteenth of February the Dutch fleet, equal in number, with three hundred merchantmen under convoy, was discovered near Cape la Hogue, steering along the coast of France. The action was maintained with the most desperate obstinacy. The Dutch lost six sail, either sunk or taken, the English one, but several were disabled, and Blake himself was severely wounded.

Another battle between them. 1653 Feb. 18.

* Heath, 329. Ludlow, ii. 3. Neuville, iii. 68.

Victory of Blake. Feb. 19.

The following morning the enemy were seen opposite Weymouth, drawn up in the form of a crescent covering the merchantmen. Many attempts were made to break through the line; and so imminent did the danger appear to the Dutch admiral, that he made signal for the convoy to shift for themselves. The battle lasted at intervals through the night; it was renewed with greater vigour near Boulogne in the morning; till Van Tromp, availing himself of the shallowness of the coast, pursued his course homeward unmolested by the pursuit of the enemy. The victory was decidedly with the English: the loss in men might be equal on both sides; but the Dutch themselves acknowledged that nine of their men of war and twenty-four of the merchant vessels had been either sunk or captured.*

Feb. 20.

Ambition of Cromwell.

This was the last naval victory achieved under the auspices of the parliament, which, though it wielded the powers of government with an energy that surprised the several nations of Europe, was doomed to bend before the superior genius or ascendancy of Cromwell. When that adventurer first formed the design of seizing the supreme authority, is uncertain; it was not till after the victory at Worcester that his object began gradually and cautiously to unfold itself. He saw himself crowned with the laurels of conquest: he held the chief command of a numerous and devoted army; and he dwelt with his family in a palace formerly the residence of the English monarchs. His adversaries had long ago pronounced him, in all but name, "a king;" and his friends were accustomed to address him in language as adulatory as ever gratified the ears of the most absolute sovereign.† His importance was perpetually forced upon his notice by the praise of his dependants, by the foreign envoys who paid court to him, and by the royalists who craved his protection. In such circumstances it cannot be surprising if the victorious general indulged the aspirings of ambition; if the stern republican, however he might hate to

* Heath, 335. Whitelock, 551. Leicester's Journal, 139. Le Clerc, i. 328. Basnage, i. 298—301.

† The general officers conclude their despatches to him thus: "we humbly lay ourselves with these thoughts, in this emergency, at your excellency's feet." Milton's State papers, 91. The ministers of Newcastle make "their humble addresses to his godly wisdom," and present "their humble suits to God and his excellency," (Ibid. 82); and the petitioners from different countries solicit him to mediate for them to the parliament, "because God has not put the sword in his hand in vain." Whitelock, 517.

see the crown on the brows of another, felt no repugnance to place it upon his own.

The grandees of the army felt that they no longer possessed the chief sway in the government. War had called them away to their commands in Scotland and Ireland; and, during their absence, the conduct of affairs had devolved on those who, in contradistinction, were denominated the statesmen. Thus, by the course of events, the servants had grown into masters, and the power of the senate had obtained the superiority over the power of the sword. Still the officers in their distant quarters jealously watched and severely criticised the conduct of the men at Westminster. With want of vigour in directing the military and naval resources of the country, they could not be charged; but it was complained that they neglected the internal economy of government; that no one of the objects demanded in the "agreement of the people" had been accomplished; and that, while others sacrificed their health and their lives in the service of the commonwealth, all the emoluments and patronage were monopolized by the idle drones who remained in the capital.* Discontent of the military.

On the return of the lord-general, the council of officers had been re-established at Whitehall; and their discontent was artfully employed by Cromwell in furtherance of his own elevation. When he resumed his seat in the house, he reminded the members of their indifference to two measures earnestly desired by the country, the act of amnesty, and the termination of the present parliament. Bills for each of these objects had been introduced as far back as 1649; but, after some progress, both were suffered to sleep in the several committees; and this backwardness of the "statesmen" was attributed to their wish to enrich themselves by forfeitures, and to perpetuate their power by perpetuating the parliament. The influence of Cromwell revived both questions. An act of oblivion was obtained, which, with some exceptions, pardoned all offences committed before the battle of Worcester, and relieved the minds of the royalists from the apprehension of additional forfeitures. On the question of the expiration of parliament, after several warm debates, the period was fixed for the 4th of November, 1654; a distance of three years, which, perhaps, was not the less pleasing to Cromwell, as it served to show how unwilling his adversa-

1651. Sep. 16.

1652. Feb. 24.

1651. Nov. 18.

* Whitelock, 549.

ries were to resign their power. The interval was to be employed in determining the qualifications of the succeeding parliament.*

Intrigues of Cromwell.

In the winter the lord-general called a meeting of officers and members at the house of the speaker; and it must have excited their surprise, when he proposed to them to deliberate, whether it were better to establish a republic, or a mixed form of monarchical government. The officers in general pronounced in favour of a republic, as the best security for the liberties of the people: the lawyers pleaded unanimously for a limited monarchy as better adapted to the laws, the habits, and the feelings of Englishmen. With the latter Cromwell agreed, and inquired whom in that case they would choose for king. It was replied, either Charles Stuart or the duke of York, provided they would comply with the demands of the parliament; and if they would not, the young duke of Gloucester, who could not have imbibed the despotic notions of his elder brothers. This was not the answer which Cromwell sought: he heard it with uneasiness; and, as often as the subject was resumed, diverted the conversation to some other question. In conclusion, he gave his opinion, that "somewhat of a monarchical government would be most effectual, if it could be established with safety to the liberties of the people as Englishmen and Christians."† That the result of the meeting disappointed his expectations is evident; but he derived from it this advantage, that he had ascertained the sentiments of many, whose aid he subsequently required. None of the leaders from the opposite party appear to have been present.

Jealous, however, of his designs, "the statesmen" had begun to fight him with his own weapons. As the commonwealth had no longer an enemy to contend with on the land, they proposed a considerable reduction in the number of the forces, and a proportionate reduction of the taxes raised for their support. The motion was too reasonable in itself, and too popular in the country, to be resisted with safety: one fourth of the army was disbanded, and the monthly assessment lowered from 120,000*l.* to 90,000*l.* Before the expiration of six months, the question of a further reduction was brought forward; but the council of war took the

1651. Oct 2. Oct. 7.

Dec. 19. 1652. June 5.

* Whitelock, 549.
* Journals, 1651. Nov. 4. 14, 15. 18. 27; 1652, Feb. 24.
† Whitelock, 516.

alarm, and a letter from Cromwell to the speaker induced the house to continue its last vote. In a short time it was again mentioned; but the next day six officers appeared at the bar of the house with a petition from the army, which, under pretence of praying for improvements, tacitly charged the members with the neglect of their duty. It directed their attention to the propagation of the gospel; the reform of the law; the removal from office of scandalous and disaffected persons; the abuses in the excise and the treasury; the arrears due to the army; the violation of articles granted to the enemy; and the qualifications of future and successive parliaments. Whitelock remonstrated with Cromwell on the danger of permitting armed bodies to assemble and petition. He slighted the advice.* June 15. Aug. 12. Aug. 13.

Soon afterwards the lord-general requested a private and confidential interview with that lawyer. So violent, he observed, was the discontent of the army, so imperious the conduct of the parliament, that it would be impossible to prevent a collision of interests and the subsequent ruin of the good cause, unless there were established "some authority so full and so high" as to be able to check these exorbitances, and to restrain both the army and the parliament. Whitelock replied that, for the army, his excellency had hitherto kept, and would continue to keep, it in due subordination; but with respect to the parliament, reliance must be placed on the good sense and virtue of the majority. To control the supreme power was legally impossible. All, even Cromwell himself, derived their authority from it. At these words the lord-general abruptly exclaimed: "What, if a man should take upon him to be king?" The commissioner answered, that the title would confer no additional benefit on his excellency. By his command of the army, his ascendancy in the house, and his reputation both at home and abroad, he already enjoyed, without the envy of the name, all the power of a king. When Cromwell insisted that the name would give security to his followers, and command the respect of the people, Whitelock rejoined, that it would change the state of the controversy between the parties, and convert a national into a personal quarrel. His friends had cheerfully fought with him to establish a republican in place of a monarchical government; would they equally fight with him in favour of the house of Cromwell against the house of Stuart?† In conclusion, Cromwell conjured him His conference with Whitelock Nov.

* Whitelock, 541. Journals, 1651, Dec. 19. 1652, June 15; Aug. 12, 13.

† Henry, duke of Gloucester, and the princess Elizabeth were in England

to give his advice without disguise or qualification, and received this answer: Make a private treaty with the son of the late king, and place him on the throne; but on conditions which shall secure to the nation its rights, and to yourself the first place beneath the throne. The general coldly observed that a matter of such importance and difficulty deserved mature consideration. They separated; and Whitelock soon discovered that he had forfeited his confidence.*

With the other leaders.

At length Cromwell fixed on his plan to procure the dissolution of the parliament, and to vest for a time the sovereign authority in a council of forty persons, with himself at their head. It was his wish to effect this quietly by the votes of parliament—his resolution to effect it by open force, if such votes were refused. Several meetings were held by the officers and members at the lodgings of the lord-general in Whitehall. St. John and a few others gave their assent: the rest, under the guidance of Whitelock and Widdrington, declared that the dissolution would be dangerous, and the establishment of the proposed council unwarrantable. In the mean time, the house resumed the consideration of the new representative body; and several qualifications were voted; to all of which the officers raised objections, but chiefly to the "admission of neuters," a project to strengthen the government by the introduction of the presbyterian interest. "Never," said Cromwell, "shall any of that judgment, who have deserted the good cause, be admitted to power." On the last meeting, held on the 19th of April, all these points were long and warmly debated. Some of the officers declared that the parliament must be dissolved "one way or other;" but the general checked their indiscretion and precipitancy; and the assembly broke up at midnight, with an understanding that the leading men on each side should resume the subject in the morning.†

1653. April 19.

at the last king's death. In 1650 the council proposed to send the one to his brother in Scotland, and the other to her sister in Holland, allowing to each 1000*l.* per annum, as long as they should behave inoffensively. (Journals, 1650, July 24; Sep. 11.) But Elizabeth died on Sep. 8 of the same year, and Henry remained under the charge of Mildmay, governor of Carisbrook castle, till a short time after this conference. when Cromwell, as if he looked on the young prince as a rival, advised his tutor, Lovel, to ask permission to convey him to his sister, the princess of Orange. It was granted, with the sum of 500*l.* to defray the expense of the journey. Leicester's Journal, 103. Heath, 331. Clarendon, iii. 525, 6.

* Whitelock, 548—551. Were the minutes of this conversation committed to paper immediately, or after the restoration? The credit due to them depends on this circumstance.

† Compare Whitelock's narrative of this meeting (p. 564) with Cromwell's in Milton's State Papers, 109.

At an early hour the conference was recommenced, and after a short time interrupted, in consequence of the receipt of a notice by the general that it was the intention of the house to comply with the desires of the army. This was a mistake: the opposite party had, indeed, resolved to pass a bill of dissolution, not, however, the bill proposed by the officers, but their own bill containing all the obnoxious provisions; and to pass it that very morning, that it might obtain the force of law before their adversaries could have time to appeal to the power of the sword.* While Harrison "most sweetly and humbly" conjured them to pause before they took so important a step, Ingoldsby hastened to inform the lord-general at Whitehall. His resolution was immediately formed; and a company of musketeers received orders to accompany him to the house. April 20.

At this eventful moment, big with the most important consequences both to himself and his country, whatever were the workings of Cromwell's mind, he had the art to conceal them from the eyes of the beholders. Leaving the military in the lobby, he entered the house, and composedly seated himself on one of the outer benches. His dress was a plain suit of black cloth, with grey worsted stockings. For a while he seemed to listen with interest to the debate; but when the speaker was going to put the question, he whispered to Harrison, "This is the time: I must do it;" and rising, put off his hat to address the house. At first his language was decorous and even laudatory. Gradually he became more warm and animated; at last he assumed all the vehemence of passion, and indulged in personal vituperation. He charged the members with self-seeking and profaneness, with the frequent denial of justice, and numerous acts of oppression; with idolizing the lawyers, the constant advocates of tyranny; with neglecting the men who had bled for them in the field, that they might gain the presbyterians who had apostatized from the cause; and with doing all this in order to perpetuate their own power, and to replenish their own purses. But their time was come: the Lord had disowned them; he had chosen more worthy instruments to perform his work. Here the orator was interrupted by Sir Peter Wentworth, who declared that he never before heard language so unparliamentary, language, too, the Cromwell expels the parliament.

* These particulars may be fairly collected from Whitelock, 554, compared with the declaration of the officers, and Cromwell's speech to his parliament. The intention to dissolve themselves is also asserted by Hazlerig. Burton's Diary, iii. 98.

more offensive because it was addressed to them by their own servant, whom they had too fondly cherished, and whom by their unprecedented bounty they had made what he was. At these words Cromwell put on his hat, and, springing from his place, exclaimed, "Come, come, sir, I will put an end to your prating." For a few seconds, apparently in the most violent agitation, he paced forward and backward, and then stamping on the floor, added, "you are no parliament. I say, you are no parliament; bring them in, bring them in." Instantly the door opened, and colonel Worseley entered, followed by more than twenty musketeers. "This," cried sir Henry Vane, "is not honest. It is against morality and common honesty." "Sir Henry Vane," replied Cromwell, "O sir Henry Vane. The Lord deliver me from sir Henry Vane. He might have prevented this. But he is a juggler, and has not common honesty himself." From Vane he directed his discourse to Whitelock, on whom he poured a torrent of abuse: then pointing to Challoner, "there," he cried, "sits a drunkard;" next, to Marten and Wentworth, "there are two whoremasters;" and afterwards selecting different members in succession, described them as dishonest and corrupt livers, a shame and a scandal to the profession of the gospel. Suddenly, however, checking himself, he turned to the guard, and ordered them to clear the house. At these words colonel Harrison took the speaker by the hand and led him from the chair; Algernon Sidney was next compelled to quit his seat; and the other members, eighty in number, on the approach of the military, rose and moved towards the door. Cromwell now resumed his discourse. "It is you," he exclaimed, "that have forced me to do this. I have sought the Lord both day and night, that he would rather slay me, than put me on the doing of this work." Alderman Allen took advantage of the words to observe that it was not yet too late to undo what had been done; but Cromwell instantly charged him with peculation, and gave him into custody. When all were gone, fixing his eye on the mace, "What," said he, "shall we do with this fool's bauble? Here, carry it away." Then taking the act of dissolution from the clerk, he ordered the doors to be locked, and, accompanied by the military, returned to Whitehall.

And the council of state.

That afternoon the members of the council assembled in their usual place of meeting. Bradshaw had just taken the chair, when the lord-general entered, and told them, that if they were there as private individuals, they were welcome; but if as the council of state,

they must know that the parliament was dissolved, and with it also the council. "Sir," replied Bradshaw, with the spirit of an ancient Roman, "we have heard what you did at the house this morning, and before many hours all England will know it. But, sir, you are mistaken to think that the parliament is dissolved. No power under heaven can dissolve them but themselves. Therefore take you notice of that." After this protest they withdrew.*

Addresses of congratulation.

Thus, by the parricidal hands of its own children, perished the long parliament, which, under a variety of forms, had for more than twelve years defended and invaded the liberties of the nation. It fell without a struggle or a groan, unpitied and unregretted. The members slunk away to their homes, where they sought by submission to purchase the forbearance of their new master; and their partisans, if partisans they had, reserved themselves in silence for a day of retribution, which came not before Cromwell slept in his grave. The royalists congratulated each other on an event which they deemed a preparatory step to the restoration of the king; the army and navy in numerous addresses declared that they would live and die, stand and fall, with the lord-general, and in every part of the country the congregations of the saints magnified the arm of the Lord which had broken the mighty, that in lieu of the sway of mortal men, "the fifth monarchy, the reign of Christ, might be established upon earth."†

It would, however, be unjust to the memory of those who exercised the supreme power after the death of the king, not to acknowledge that there existed among them men capable of wielding with energy the destinies of a great empire. They governed only four years; yet under their auspices the conquest of Ireland and Scotland were achieved, and a navy was created, the rival of that of Holland and the terror of the rest of Europe.‡ But there existed an essential error in their form of government. Deliberative assemblies are always slow in their proceedings; yet the pleasure of parliament, as

* See the several accounts in Whitelock, 554. Ludlow, ii. 19. 23. Leicester's Journal, 139. Hutchinson, 332. Several Proceedings, No. 186, and Burton's Diary, iii. 98.

† Whitelock, 555—558. Milton's State Papers, 90—17. Ellis, Second Series, iii. 368.

‡ "We intended," says Scot, "to have gone off with a good savour, but we stayed to end the Dutch war. We might have brought them to oneness with us. Their ambassadors did desire a coalition. This we might have done in four or five months. We never bid fairer for being masters of the whole world." Burton's Diary, iii. 112.

the supreme power, was to be taken on every subject connected with the foreign relations or the internal administration of the country; and hence it happened that, among the immense variety of questions which came before it, those commanded immediate attention which were deemed of immediate necessity; while the others, though often of the highest importance to the national welfare, were first postponed, then neglected, and ultimately forgotten. To this habit of procrastination was perhaps owing the extinction of its authority. It disappointed the hopes of the country, and supplied Cromwell with the most plausible argument in defence of his conduct.

Other proceedings of the late parliament.

Of the parliamentary transactions up to this period, the principal have been noticed in the preceding pages. I shall add a few others which may be thought worthy the attention of the reader.

Spiritual offences.

1. It was complained that, since the abolition of the spiritual tribunals, the sins of incest, adultery, and fornication had been multiplied in consequence of the impunity with which they might be committed; and, at the prayer of the godly, they were made criminal offences, cognizable by the criminal courts, and punishable, the two first with death, the last with three months' imprisonment. But it was predicted at the time, and experience verified the prediction, that the severity of the punishment would defeat the purpose of the law.

1650. May 16.

Reformation of law.

2. Scarcely a petition was presented which did not among other things, pray for the reformation of the courts of law; and the house, after several long debates, acquiesced in a measure, understood to be only the forerunner of several others, that the law books should be written, and law proceedings be conducted in the English language.*

Nov 8. Nov 22.

Forfeitures and sequestrations.

3. So enormous were the charges of the commonwealth, arising from continual wars by sea or land, that questions of finance continually engaged the attention of the house. There were four principal sources of revenue: the customs, the excise, the sale of fee-farm rents,† of the lands of the crown, and of those belonging to the bishops, deans, and chapters; and the sequestration and forfeiture of the estates of papists and delinquents. The ordinances for the latter

* Journals, May 10, Nov. 22. Whitelock, 478—483.

† The clear annual income from the fee-farm rents amounted to 77,000*l.* In Jan. 1651, 25,300*l.* of this income had been sold for 226,650*l.* Journals, Jan. 8.

had been passed as early as the year 1643, and in the course of the seven succeeding years, the harvest had been reaped and gathered. Still some gleanings might remain; and in 1650, an act was passed for the better ordering and managing such estates; the former compositions were subjected to examination; defects and concealments were detected; and proportionated fines were in numerous cases exacted. In 1651, seventy individuals, most of them of high rank, all of opulent fortunes, who had imprudently displayed their attachment to the royal cause, were condemned to forfeit their property both real and personal, for the benefit of the commonwealth. The fatal march of Charles to Worcester furnished grounds for a new proscription in 1652. First, nine-and-twenty, then six hundred and eighty-two royalists were selected for punishment. It was enacted that those in the first class should forfeit their whole property; while to those in the second the right of pre-emption was reserved at the rate of one-third part of the clear value, to be paid within four months.*

1650. Jan. 22.

1651. July 16.

1652. Aug. 4. Nov. 18.

Religious intolerance.

4. During the late reign, as long as the presbyterians retained the ascendancy in parliament, they enforced with all their power uniformity of worship and doctrine. The clergy of the established church were ejected from their livings; and the professors of the catholic faith were condemned to forfeit two thirds of their property, or to abjure their religion. Nor was the proof of recusancy to depend, as formerly, on the slow process of presentation and conviction; bare suspicion was held a sufficient ground for the sequestrator to seize his prey; and the complainant was told that he had the remedy in his own hands; he might take the oath of abjuration. When the independents succeeded to the exercise of the supreme power, both the persecuted parties indulged a hope of more lenient treatment; and both were disappointed. The independents, indeed, proclaimed themselves the champions of religious liberty: they repealed the statutes imposing penalties for absence from church; and they declared that men were free to serve God according to the dictates of conscience. Yet their notions of toleration were very confined: they refused to admit either

* Journals, 1651, July 16. 1652, Aug. 4; Nov. 18. Scobell, 166, 210. If any of the last were papists and afterwards disposed of their estates thus redeemed, they were ordered to banish themselves from their native country, under the penalty of having the laws against popery executed against them with the utmost severity. Addit. Act of Nov. 18, 1652.

prelacy or popery, the service of the church of England, or of the church of Rome. The ejected clergymen were still excluded from the pulpit, and the catholics were still the victims of persecuting statutes. In 1650, an act was passed offering
1650. to the discoverers of priests and jesuits, or of their
Feb. 26. receivers and abettors, the same rewards as had been granted to the apprehenders of highwaymen. Immediately officers and informers were employed in every direction; the houses of catholics were broken open and searched at all hours of the day and night; many clergymen were
1651. apprehended, and several were tried, and received
May 19. judgment of death. Of these one only, Peter Wright, chaplain to the marquess of Winchester, suffered. The leaders shrunk from the odium of such sanguinary exhibitions, and transported the rest of the prisoners to the continent.*

But if the zeal of the independents was more sparing of blood than that of the presbyterians, it was not inferior in point of rapacity. The ordinances for sequestration and forfeiture were executed with unrelenting severity.† It is difficult to say which suffered from them most cruelly—families with small fortunes, who were thus reduced to a state of penury, or husbandmen, servants, and mechanics, who, on their refusal to take the oath of abjuration, were deprived of two-thirds of their scanty earnings, even of their household goods
1652. and wearing apparel.‡ The sufferers ventured to
June 30. solicit from parliament such indulgence as might be thought "consistent with the public peace and their comfortable subsistence in their native country." The petition was read; sir Henry Vane spoke in its favour; but the house was deaf to the voice of reason and humanity, and the prayer for relief was indignantly rejected.§

* Challroner, ii. 436. MS. papers in my possession.

† In 1650 the annual rents of the lands of catholics in possession of the sequestrators were returned at 62,048*l.* 17*s.* 3*d.* ¾. It should, however, be observed, that thirteen counties were not included. Journ. Dec. 17.

‡ In proof, I may be allowed to mention one instance of a catholic servant maid, an orphan, who, during a servitude of seventeen years, at seven nobles a year, had saved 20*l.* The sequestrators, having discovered with whom she had deposited her money, took two-thirds, 13*l.* 6*s.* 8*d.* for the use of the commonwealth, and left her the remainder, 6*l.* 13*s.* 4*d.* In March, 1652, she appealed to the commissioners at Haberdashers' hall, who replied that they could afford her no relief, unless she took the oath of abjuration See this and many other cases in the "Christian Moderator, or Persecution for Religion, condemned by the Light of Nature, the Law of God, and Evidence of our own Principles," p. 77—84. London, 1652.

§ Journal, 1652, June 30. The petition is in the Christian Moderator, p. 59.

CHAP. III.

THE PROTECTORATE.

CROMWELL CALLS THE LITTLE PARLIAMENT.—DISSOLVES IT.—MAKES HIMSELF PROTECTOR.—SUBJUGATION OF THE SCOTTISH ROYALISTS. PEACE WITH THE DUTCH.—NEW PARLIAMENT.—ITS DISSOLUTION. INSURRECTION IN ENGLAND.—BREACH WITH SPAIN.—TROUBLES IN PIEDMONT.—TREATY WITH FRANCE.

Establishment of a new government.

WHOEVER has studied the character of Cromwell, will have remarked the anxiety with which he laboured to conceal his real designs from the notice of his adherents. If credit were due to his assertions, he cherished none of those aspiring thoughts which agitate the breasts of the ambitious : the consciousness of his weakness taught him to shrink from the responsibility of power ; and at every step in his ascent to greatness, he affected to sacrifice his own feelings to the judgment and importunity of others. But in dissolving the late parliament he had deviated from this his ordinary course ; he had been compelled to come boldly forward by the obstinacy or policy of his opponents, who during twelve months had triumphed over his intrigues, and were preparing to pass an act which would place new obstacles in his path. Now, however, that he had forcibly taken into his own hands the reins of government, it remained for him to determine, whether he should retain them in his grasp, or deliver them over to others. He prefered the latter. For the maturity of time was not yet come : he saw that, among the officers who blindly submitted to be the tools of his ambition, there were several who would abandon the idol of their worship, whenever they should suspect him of a design to subvert the public liberty. But if he parted with power for the moment, it was in such manner as to warrant the hope that it would shortly return to him under another form, not as won by the sword of the military, but as deposited with him by the judgment of parliament.

It could not escape the sagacity of the lord-general that the fanatics, with whose aid he had subverted the late government, were not the men to be entrusted with the destinies of the three kingdoms: yet he deemed it his interest to indulge them in their wild notions of civil and religious reformation, and to suffer himself for a while to be guided by their counsels. Their first measure was to publish a Vindication of their Proceedings.* The long parliament they pronounced incapable "of answering those ends which God, his people, and the whole nation, expected." Had it been permitted to sit a day longer, it would "at one blow have laid in the dust the interests of all honest men and of their glorious cause." In its place the council of war would "call to the government persons of approved fidelity and honesty;" and therefore required "public officers and ministers to proceed in their respective places," and conjured "those who feared and loved the name of the Lord, to be instant with him day and night in their behalf."†

They next proceeded to establish a council of state. Some proposed that it should consist of ten members; some of seventy, after the model of the Jewish Sanhedrim; and others of thirteen, in imitation of Christ and his twelve apostles. The last project was adopted as equally scriptural, and more convenient. With Cromwell, in the place of lord-president, were joined four civilians and eight officers of high rank; so that the army still retained its ascendancy, and the council of state became, in fact, a military council.

From this moment for some months it would have embarrassed any man to determine where the supreme power resided. Some of the judges were superseded by others; new commissioners of the treasury and admiralty were appointed; even the monthly assessment of 120,000*l.* was continued for an additional half year; and yet these and similar acts, all of them belonging to the highest authority in the state, appeared to emanate from different sources, those from the council of war, those from the council of state, and several from the lord-general himself, sometimes with the advice of one or other, sometimes without the advice of either of these councils.‡

* Printed by Henry Hills and Thomas Brewster, printers to the army, 1653.

† Ludlow, ii. 24. Thurloe 289, 395. Sir H. Vane, after all the affronts which he had received, was offered a place in the council; but he replied that, though the reign of the saints was begun, he would defer his share in it till he should go to heaven. Thurloe, i. 265.

‡ Whitelock, 556, 7. 9. Leicester's Journal, 142. Merc. Polit. No. 167.

At the same time the public mind was agitated by the circulation of reports the most unfounded, and the advocacy of projects the most contradictory. This day, it was rumoured that Cromwell had offered to recal the royal family on condition that Charles should marry one of his daughters; the next, that he intended to ascend the throne himself, and, for that purpose, had already prepared the insignia of royalty. Here, signatures were solicited to a petition for the re-establishment of the ancient constitution; there, for a government by successive parliaments. Some addresses declared the conviction of the subscribers that the late dissolution was necessary, others prayed that the members might be allowed to return to the house, for the sole purpose of legally dissolving themselves by their own authority. In the mean while the lord-general continued to wear the mask of humility and godliness; he prayed and preached with more than his wonted fervour; and his piety was rewarded, according to the report of his confidants, with frequent communications from the Holy Spirit.* In the month of May he spent eight days in close consultation with his military divan; and the result was a determination to call a new parliament; but a parliament modelled on principles unknown to the history of this, or of any other nation. It was to be a parliament of saints, of men who had not offered themselves as candidates, and been chosen by the people, but whose chief qualification consisted in holiness of life, and whose call to the office of legislators came from the choice of the council. With this view the ministers took the sense of the "congregational churches" in the several counties: the returns contained the names of the persons "faithful, fearing God, and hating covetousness," who were deemed qualified for this high and important trust; and out of these the council, in the presence of the lord-general, selected one hundred and thirty-nine representatives for England, six for Wales, six for Ireland, and four for Scotland.† To each of them was sent a writ of summons under the signature of Cromwell, requiring his personal attendance at Whitehall on a certain day, to take upon himself the trust, and to serve the office, of member for some particular place. Of the suprise with which the writs were received by many, the reader may judge. Yet, out of the whole number, two only returned a refusal: by most the

Selection of members.

* Thuloe, i. 256. 289. 306.

† Thurloe, i. 395. Compare the list of the members in Heath, (350) with the letters in Milton's State Papers, 92. 94. 96.

very extraordinary manner of their election was taken as a sufficient proof that the call was from heaven.*

June 8. Meeting of parliament.

On the appointed day, the fourth of July, one hundred and twenty of these faithful and godly men attended in the council-chamber at Whitehall. They were seated on chairs round the table; and the lord-general took his station near the middle window, supported by a numerous body of officers on each side. He addressed the company standing, and it was believed by his admirers, perhaps by himself, "that the Spirit of God spoke in him and by him." Having vindicated in a long narrative the dissolution of the late parliament, he congratulated the persons present on the high office to which they had been called. It was not of their own seeking. It had come to them from God by the choice of the army, the usual channel through which in these latter days the divine mercies had been dispensed to the nation. He would not charge them, but he would pray that they might "exercise the judgment of mercy and truth," and might "be faithful with the saints," however those saints might differ respecting forms of worship. His enthusiasm kindled as he proceeded; and the visions of futurity began to open to his imagination. It was, he exclaimed, marvellous in his eyes: they were called to war with the Lamb against his enemies: they were come to the threshold of the door, to the very edge of the promises and prophecies: God was about to bring his people out of the depths of the sea, perhaps to bring the Jews home to their station out of the isles of the sea: "God," he exclamed, "shakes the mountains, and they reel: God hath a high hill, too, and his hill is as the hill of Bashan; and the chariots of God are twenty thousand of angels; and God will dwell upon this hill for ever." At the conclusion "of this grave, Christian, and seasonable speech," he placed on the table an instrument under his own hand and seal, entrusting to them the supreme authority for the space of fifteen months from that day, then to be transmitted by them to another assembly, the members of which they should previously have chosen.†

1653. July 4.

Its character.

The next day was devoted by the new representatives to exercises of religion, not in any of the

* Thurloe, i. 274. Whitelock, 557. "It was a great satisfaction and encouragement to some that their names had been presented, as to that service, by the churches and other godly persons." Exact Relation of the Proceedings, etc. of the last Parliament, 1654, p. 2.

† Proceedings, No. 197. Parl. Hist. xx. 153. Milton's State Papers, 106. This last appears to me a more faithful copy than that printed by authority.

churches of the capital, but in the room where the late parliament was accustomed to sit. Thirteen of the most gifted among them successively prayed and preached, from eight in the morning till six in the evening; and several affirmed that they had never enjoyed so much of the spirit and presence of Christ in any of the meetings and exercises of religion in all their lives, as they did on that day." As it was solely to their reputation for superior godliness that the majority of the members owed their election, the lord-general probably expected from them little opposition to his measures; but they no sooner applied to business, than he saw reason to be alarmed at the promptitude and resolution which they displayed. Though not distinguished by their opulence, they were men of independent fortunes;* during the late revolutions they had learned to think for themselves on the momentous questions which divided the nation; and their fanaticism, by converting their opinions into matters of conscience, had superadded an obstinacy of character not easily to be subdued. To Cromwell himself they always behaved with respect. They invited him, with four of his officers, to sit as a member among them; and they made him the offer of the palace of Hampton-court in exchange for his house of Newhall. But they believed and showed that they were the masters. They scorned to submit to the dictation of their servants; and if they often followed the advice, they as often rejected the recommendations and amended the resolutions of the council of state. July 5.

Prosecution of Lilburne.

One of the first subjects which engaged their attention was a contest, in which the lord-general, with all his power, was foiled by the boldness of a single individual. At the very moment when he hoped to reap the fruit of his dissimulation and intrigues, he found himself unexpectedly confronted by the same fearless and enterprising demagogue, who, at the birth of the commonwealth, had publicly denounced his ambition, and excited the soldiery against him. Lilburne, on the dissolution of the long parliament, had requested permission of Cromwell to return from banishment. Receiving no answer, June 15.

* They have been generally described as men in trade, and of no education; and because one of them, Praise-God Barebone, was a leather-dealer in Fleet-street, the assembly is generally known by the denomination of Barebone's parliament. (Heath, 350.) It is, however, observed by one of them, that "if all had not very bulky estates, yet they had free estates, and were not of broken fortunes, or such as owed great sums of money, and stood in need of privilege and protection as formerly." Exact Relation, 19. See also Whitelock, 559.

he came over at his own risk, and, on the day after his arrival in the capital, was committed to Newgate. It seemed a case which might safely be entrusted to a jury. His return by the act of banishment had been made felony; and of his identity there could be no doubt. But his former partisans did not abandon him in his distress. Petitions with thousands of signatures were presented, praying for a respite of the trial till the meeting of the parliament; and Cromwell, willing, perhaps, to shift the odium from himself to that assembly, gave his consent. Lilburne petitioned the new parliament; his wife petitioned; his friends from the neighbouring counties petitioned; the apprentices in London not only petitioned but threatened. But the council laid before the house the depositions of spies and informers to prove that Lilburne, during his banishment, had intrigued with the royalists against the commonwealth;* and the prisoner himself, by the intemperance of his publications, contributed to irritate the members. They refused to interfere; and he was arraigned at the sessions; where, instead of pleading, he kept his prosecutors at bay during five successive days, appealing to Magna Charta and the rights of Englishmen, producing exceptions against the indictment, and demanding his oyer, or the specification of the act for his banishment, of the judgment on which the act was founded, and of the charge which led to that judgment. The court was perplexed. They knew not how to refuse; for he claimed it as his right; and necessary for his defence. On the other hand, they could not grant it, because no record of the charge or judgment was known to exist.

July 13.

After an adjournment to the next sessions, two days were spent in arguing the exceptions of the prisoner, and his right to the oyer. At length, on a threat that the court would proceed to judgment, he pleaded not guilty. The trial lasted three days. His friends, to the amount of several thousands, constantly attended; some hundreds of them were said to be armed for the purpose of rescuing him, if he were condemned; and papers were circulated that, if Lilburne perished, twenty thousand individuals would perish, with him. Cromwell, to encourage the court, posted two companies

His acquittal.
Aug. 11.
Aug. 16.
Aug. 18.

* It appears from Clarendon's Letters at the time that Lilburne was intimate with Buckingham, and that Buckingham professed to expect much from him in behalf of the royal cause; while, on the contrary, Clarendon believed that Lilburne would do nothing for it, and Buckingham not much more. Clarendon Papers, iii. 75. 79. 98.

of soldiers in the immediate vicinity; quartered three regiments of infantry, and one of cavalry, in the city; and ordered a numerous force to march towards the metropolis. The particulars of the trial are lost. We only know that the prosecutors were content with showing that Lilburne was the person named in the act; and that the court directed the jury to speak only to that fact; that the prisoner made a long and vehement defence, denying the authority of the late parliament to banish him, because legally it had expired at the king's death, and because the house of commons was not a court of justice; and, maintaining to the jury, that they were judges of the law as well as of the fact; that, unless they believed him guilty of crime, they could not conscientiously return a verdict which would consign him to the gallows; and that an act of parliament, if it were evidently unjust, was essentially void, and no justification to men, who pronounced according to their oaths. At a late hour at night, the jury declared him not guilty; and the shout of triumph, received and prolonged by his partisans, reached the ears of Cromwell at Whitehall. Aug. 20.

It was not, however, the intention of the lord-general that his victim should escape. The examination of the judges and jurymen before the council, with a certified copy of certain opprobrious expressions, used by Lilburne in his defence, was submitted to the house, and an order was obtained that, notwithstanding his acquittal, he should be confined in the Tower, and that no obedience should be paid to any writ of habeas corpus issued from the court of upper bench in his behalf. These measures gave great offence. It was complained, and with justice, that the men who pretended to take up arms against the king in support of the liberties of Englishmen, now made no scruple of trampling the same liberties under foot, whenever it suited their resentment or interest.* Aug. 22. Aug. 27. Nov. 26.

In the prosecution and punishment of Lilburne, the parliament was unanimous; on most other points it was divided into two parties distinctly marked; that of the independents, who, inferior in number, superior in talents, adhered to the lord-general and the council; and that of anabaptists, who, guided by religious and political fanaticism, ranged themselves under the banner of major-ge- Parties in parliament.

* He was sent from the Tower to Elizabeth castle in Jersey, and discharged a little before his death, in 1657. He died a quaker. See Thurloe, i. 324. 367, 8, 9. 429, 430. 435. 441, 2, 451. 453. Exact Relation, p. 5. State Trials, v. 418—430. Whitelock, 558, 560, i. 3. 591. Journals, July 15, 14; Aug. 2, 22, 27; Nov. 26.

neral Harrison as their leader. These "sectaries" anticipated the reign of Christ with his saints upon earth; they believed themselves called by God to prepare the way for this marvellous revolution; and they considered it their duty to commence by reforming all the abuses which they could discover either in church or state.*

In their proceedings there was much to which no one who had embarked with them in the same cause, could reasonably object. They established a system of the most rigid economy; the regulations of the excise were revised; the constitution of the treasury was simplified and improved; unnecessary offices were totally abolished, and the salaries of the others considerably reduced; the public accounts were subjected to the most rigorous scrutiny; and new facilities were given to the sale of the lands now considered as national property. But the fanaticism of their language and the extravagance of their notions exposed them to ridicule; their zeal for reform, by interfering with the interests of several different bodies at the same time, multiplied their enemies; and, before the dissolution of the house, they had earned, justly or unjustly, the hatred of the army, of the lawyers, of the gentry, and of the clergy.

Taxes. 1. It was with visible reluctance that they voted the monthly tax of 120,000*l.* for the support of the military and naval establishments. They were, indeed, careful not to complain of the amount: their objections were pointed against the nature of the tax, and the inequality of the assessments:† but this pretext could not hide their real object from the jealousy of their adversaries, and their leaders were openly charged with seeking to reduce the number of the army that they might lessen the influence of the general.

Reform of law. 2. From the collection of the taxes they proceeded to the administration of the law. In almost every petition presented of late years to the supreme authority of the nation, complaints had been made of the court of chancery, of its dilatory proceedings, of the enormous expense which it entailed on its suitors, and of the suspicious nature of its decisions, so liable to be influenced by the personal partialities and interests of the judge.‡ The long parliament

* Thurloe, i 392. 6. 501. 515. 523.

† In some places men paid but two; in others, ten or twelve shillings in the pound. Exact Relation, p. 10. The assessments fell on the owners, not on the tenants. Thurloe, i. 755.

‡ "It was confidently reported by knowing gentlemen of worth, that there were depending in that court 23,000 (2 or 3000?) causes; that some of them

did not venture to grapple with the subject; but this, the little parliament, went at once to the root of the evil, and voted that the whole system should be abolished. But then came the appalling difficulty, how to dispose of the causes actually pending in the court, and how to substitute in its place a less objectionable tribunal. Three bills introduced for that purpose were rejected as inapplicable or insufficient: the committee prepared a fourth: it was read twice in one day, and committed, and would probably have passed, had not the subsequent proceedings been cut short by the dissolution of the parliament.*

But the reformers were not content with the abolition of a single court: they resolved to cleanse the whole of the Augean stable. What, they asked, made up the law? A voluminous collection of statutes, many of them almost unknown, and many inapplicable to existing circumstances; the dicta of judges, perhaps ignorant, frequently partial and interested; the reports of cases, but so contradictory that they were regularly marshalled in hosts against each other; and the usages of particular districts, only to be ascertained through the treacherous memories of the most aged of the inhabitants. Englishmen had a right to know the laws by which they were to be governed; it was easy to collect from the present system all that was really useful; to improve it by necessary additions, and to comprise the whole within the small compass of a pocket volume. With this view it was resolved to compose a new body of law: the task was assigned to a committee; and a commencement was made by a revision of the statutes respecting treason and murder.† But these votes and proceedings scattered alarm through the courts at Westminster, and hundreds of voices, and almost as many pens, were employed to protect from ruin the venerable fabric of English jurisprudence. They ridiculed the presumption of these ignorant and fanatical

had been there depending five, some ten, some twenty, some thirty years; and that there had been spent in causes many hundreds, nay, thousands of pounds to the utter undoing of many families." Exact Relation, 12.

* Journals, Aug. 5; Oct. 17. 22; Nov. 3. Exact Relation, 12—15. The next year, however, Cromwell took the task into his own hands; and, in 1655, published an ordinance, consisting of sixty-seven articles "for the better regulating and limiting the jurisdiction of the high court of chancery." Widrington and Whitelock, the commissioners of the great seal, and Lenthall, master of the rolls, informed him by letter that they had sought to the Lord, but did not feel themselves free to act according to the ordinance. The protector took the seals from the two first, and gave them to Fiennes and Lisle; Lenthall overcame his scruples, and remained in office. See the ordinance in Scobell, 324: the objections to it in Whitelock, 621.

† Journals, Aug. 18, 19; Oct. 20. Exact Relation, 15—18.

legislators, ascribed to them the design of substituting the law of Moses for the law of the land, and conjured the people to unite in defence of their own "birthright and inheritance," for the preservation of which so many miseries had been endured and so much blood had been shed.*

Zeal for religion.

4. From men of professed sanctity much had been expected in favour of religion. The sincerity of their zeal they proved by the most convincing test, an act for the extirpation of popish priests and jesuits, and the disposal of two-thirds of the real and personal estates of popish recusants.† After this preliminary skirmish with antichrist, they proceeded to attack satan himself "in his strong hold" of advowsons. It was, they contended, contrary to reason, that any private individual should possess the power of imposing a spiritual guide upon his neighbours; and, therefore, they resolved that presentations should be abolished, and the choice of the minister be vested in the body of the parishioners; a vote which taught the patrons of livings to seek the protection of the lord-general against the oppression of the parliament. From advowsons, the next step was to tithes. At the commencement of the session, after a long debate, it was generally understood that tithes ought to be done away, and in their place a compensation be made to the impropriators, and a decent maintenance be provided for the clergy. For five months the committee entrusted with the subject was silent: now, to prevent, as it was thought, the agitation of the question of advowsons, they presented a report, respecting the method of ejecting scandalous, and settling godly ministers; to which they appended their own opinion, that incumbents, rectors, and impropriators, had a property in tithes. This report provoked a debate of five days. When the question was put on the first part, though the committee had mustered all the force of the independents in its favour, it was rejected by a majority of two. The second part, respecting the property in tithes, was not put to the vote: its fate was supposed to be included in that of the former; and it was rumoured through the capital that the parliament had voted the

* The charge of wishing to introduce the law of God was frequently repeated by Cromwell. It owed its existence to this, that they would not allow of the punishment of death for theft, or of the distinction between manslaughter and murder, because no such things are to be found in the law of Moses. Exact Relation, 17.

† To procure ready money for the treasury, it was proposed to allow recusants to redeem the two-thirds for their lives, at four years' purchase. This amendment passed, but with great opposition, on the ground that it amounted to a toleration of idolatry. Ibid. 11. Thurloe, i. 668.

abolition of tithes, and with them of the ministry, which derived its maintenance from tithes.*

Here it should be noticed that, on every Monday during the session, Feakes and Powell, two anabaptist preachers, had delivered weekly lectures to numerous audiences at Blackfriars. They were eloquent enthusiasts, commissioned, as they fancied, by the Almighty, and fearless of any earthly tribunal. They introduced into their sermons most of the subjects discussed in parliament, and advocated the principles of their sect with a force and extravagance which alarmed Cromwell and the council. Their favourite topic was the Dutch war. God, they maintained, had given Holland into the hands of the English; it was to be the landing place of the saints, whence they should proceed to pluck the w— of Babylon from her chair, and to establish the kingdom of Christ on the continent; and they threatened with every kind of temporal and everlasting woe the man who should advise peace on any other terms than the incorporation of the United Provinces with the commonwealth of England.† When it was known that Cromwell had receded from this demand, their indigantion stripped the pope of many of those titles with which he had so long been honoured by the protestant churches, and the lord-general was publicly declared to be the beast in the Apocalypse, the old dragon, and the man of sin. Unwilling to invade the liberty of religious meetings, he for some time bore these insults with an air of magnanimity; at last he summoned the two preachers before himself and the council. But the heralds of the Lord of Hosts quailed not before the servants of an earthly commonwealth: they returned rebuke for rebuke, charged Cromwell with an unjustifiable assumption of power, and departed from the conference unpunished and unabashed.‡

Anabaptist preachers.

Dec. 6.

By the public the sermons at Blackfriars were considered as explanatory of the views and principles of the anabaptists in the house. The enemies of these reformers multiplied daily: ridicule and abuse were poured upon them from every quarter;

Dissolution of parliament. Dec. 12.

* Journals, July 15—19; Nov. 17; Dec. 1, 6—10, Exact Relation, 418—24.

† Beverningk, one of the Dutch ambassadors, went to the meeting on one of these occasions. In a letter, he says: "the scope and intention is to preach down governments, and to stir up the people against the United Netherlands. Being then in the assembly of the saints, I heard one prayer, two sermons. But, good God! what cruel and abominable, and most horrid trumpets of fire, murder, and flame." Thurloe, i. 442.

‡ Thurloe, i. 442. 534. 545. 560. 591. 621.

and it became evident to all but themselves that the hour of their fall was rapidly approaching. Cromwell, their maker, had long ago determined to reduce them to their original nothing; and their last vote respecting the ministry appeared to furnish a favourable opportunity. The next day, the Sunday, he passed with his friends in secret consultation; on the Monday they mustered in considerable numbers, and at an early hour took their seats in the house. Colonel Sydenham rose. He reviewed all the proceedings of the parliament, condemned them as calculated to injure almost every interest in the state, and, declaring that he would no longer sit in so useless an assembly, moved that the house should proceed to Whitehall, and deliver back the supreme power into the hands of him from whom it was derived. The motion was seconded and opposed; but the independents had come to act not to debate. They immediately rose; the speaker, who was in the secret, left the chair; the sergeant and the clerk accompanied him, and near fifty members followed in a body. The reformers, twenty-seven in number, gazed on each other with surprise; their first resource was to fall to prayer; and they were employed in this holy exercise when Goff and White, two officers, entered, and requested them to withdraw. Being required to show their warrant, they called in a company of soldiers. No resistance was now offered: the military cleared the house, and the keys were left with the guard.*

In the mean while the speaker, preceded by the mace, and followed by Sydenham and his friends, walked through the street to Whitehall. In the way, and after his arrival, he was joined by several members, by some through curiosity, by others through fear. At Whitehall, a form of resignation of the supreme power was hastily engrossed by the clerk, subscribed by the speaker and his followers, and tendered by them to Cromwell. The lord-general put on an air of surprise: he was not prepared for such an offer, he would not load himself with so heavy a burthen. But his reluctance yielded to the remonstrances and entreaties of Lambert and the officers, and the instrument was laid in a chamber of the palace for the convenience of such members as had not yet the opportunity of subscribing their names. On the third day, the signatures amounted to eighty, an absolute majority of the whole house: on the fourth, a new constitution was

* Exact Relation, 25, 26. True Narrative, 3. Thurloe, i. 730. 637. I adopt the number given by Mansel, as he could have no motive to diminish it.

published, and Cromwell obtained the great object of his ambition, the office and authority, though without the title, of king.*

Cromwell assumes the office of protector. Dec. 16.

On that day, about one in the afternoon, the lord-general repaired in his carriage from the palace to Westminster-hall, through two lines of military, composed of five regiments of foot and three of horse. The procession formed at the door. Before him walked the aldermen, the judges, two commissioners of the great seal, and the lord mayor; behind him the two councils of state and of the army. They ascended to the court of chancery, where a chair of state with a cushion had been placed on a rich carpet. Cromwell was dressed in a suit and cloak of black velvet, with long boots, and a broad gold band round his hat. He took his place before the chair, between the two commissioners: the judges stood around it, and the civic officers ranged themselves on the right, the military on the left side of the court.

Lambert now came forward to address the lord-general. He noticed the dissolution of the late parliament; observed that the exigency of the time required a strong and stable government, and prayed his excellency in the name of the army and the three nations to accept the office of protector of the commonwealth. Cromwell, though it was impossible to conceal the purpose for which he had come thither, could not yet put off the habit of dissimulation; and if, after some demur, he expressed his consent, it was with an appearance of reluctance which no one present could believe to be real.

Instrument of government.

Jessop, one of the clerks of the council, was next ordered to read the "instrument of government," consisting of forty-two articles. 1. By it the legislative power was vested in a lord-protector and parliament, but with a provision that every act

* Exact Relation, 26. True Narrative, 4. Ludlow, ii. 33. Clarendon. iii. 484. Thurloe, i. 754. The author of this new constitution is not known. Ludlow tells us that it was first communicated by Lambert to a council of field officers. When some objections were made, he replied, that the general was willing to consider any amendments which might be proposed, but would not depart from the project itself. Some, therefore, suggested that, after the death of the present lord-general, the civil and military government should be kept separate, and that no protector should be succeeded by any of his relatives. This gave so much offence that, at a second meeting, Lambert, having informed them that the lord-general would take care of the civil administration, dismissed them to their respective commands. Ludlow, ii. 37. It is to this, perhaps, that the Dutch ambassador alludes, when he says that Cromwell desisted from his project of being declared king on account of the displeasure of the officers. Thurloe, i. 644.

passed by the parliament should become law at the expiration of twenty days, even without the consent of the protector; unless he could persuade the house of the reasonableness of his objections. The parliament was not to be adjourned, prorogued, or dissolved, without its own consent, within the first five months after its meeting; and a new parliament was to be called within three years after the dissolution of the last. The number of the members was fixed according to the plan projected by the long parliament, at four hundred for England, thirty for Scotland, and thirty for Ireland. Most of the boroughs were disfranchised, and the number of county members was increased. Every person possessed of real or personal property to the value of 200*l.* had a right to vote unless he were a malignant or delinquent, or professor of the catholic faith; and the disqualifications to which the electors were subject, attached also to the persons elected. 2. The executive power resided in the lord-protector acting with the advice of his council. He possessed, moreover, the power of treating with foreign states with the *advice*, and of making peace or war with the *consent*, of the council. To him also belonged the disposal of the military and naval power, and the appointment of the great officers of state with the approbation of parliament, and, in the intervals of parliament, with that of the council, but subject to the subsequent approbation of the parliament. 3. Laws could not be made, nor taxes imposed, but by common consent in parliament. The civil list was fixed at 200,000*l.*, and a yearly revenue ordered to be raised for the support of an army of 30,000 men, two-thirds infantry, and one-third cavalry, with such a navy as the lord-protector should think necessary. 5. All who professed faith in God by Jesus Christ were to be protected in the exercise of their religion, with the exception of prelatists, papists, and those who taught licentiousness under the pretence of religion. 6. The present lord-protector was named, the lord-general Cromwell; his successors were to be chosen by the council. The first parliament was to assemble on the third of the following December; and till that time the lord-protector was vested with power to raise the monies necessary for the public service, and to make ordinances which should have the force of law, till orders were taken in parliament respecting the same.

At the conclusion, Cromwell, raising his right hand and his eyes to heaven with great solemnity, swore to observe, and cause to be observed, all the articles of the instrument; and Lambert, falling on his knees, offered to the protector a civic

sword in the scabbard, which he accepted, laying aside his own, to denote that he meant to govern by constitutional, and not by military, authority. He then seated himself in the chair; put on his hat while the rest stood uncovered; received the seal from the commissioners, the sword from the lord mayor; delivered them back again to the same individuals; and, having exercised these acts of sovereign authority, returned in procession to his carriage, and repaired in state to Whitehall. The same day the establishment of the government by a lord-protector and triennial parliaments, and the acceptance of the protectorship by the lord general, were announced to the public by proclamation, with all the ceremonies hitherto used on the accession of a new monarch.*

He publishes ordinances.

It cannot be supposed that this elevation of Cromwell to the supreme power was viewed with satisfaction by any other class of men than his brethren in arms, who considered his greatness as their own work, and expected from his gratitude their merited reward. But the nation was surfeited with revolutions. Men had suffered so severely from the ravages of war and the oppression of the military; they had seen so many instances of punishment incurred by resistance to the actual possessors of power; they were divided and subdivided into so many parties, jealous and hateful of each other, that they readily acquiesced in any change which promised the return of tranquillity in the place of solicitude, danger, and misery. The protector, however, did not neglect the means of consolidating his own authority. Availing himself of the powers intrusted to him by the "instrument," he gave the chief commands in the army to men in whom he could confide; quartered the troops in the manner best calculated to put down any insurrection; and, among the multitude of ordinances which he published, was careful to repeal the acts enforcing the engagement; to forbid all meetings on race-courses or at cock-pits; to explain what offences should be deemed treason against his government; and to establish a high court of justice for the trial of those who might be charged with such offences.

Arrests his opponents.

He could not, however, be ignorant that, even among the former companions of his fortunes, the men who had fought and bled by his side, there were many who, much as they revered the general, looked on

* Whitelock, 571—8. Thurloe, i. 639. 641. Ludlow, ii. 40. The alteration in the representation, which had been proposed in the long parliament, was generally considered an improvement. Clar. Hist. iii. 495.

the protector with the most cordial abhorrence. They were stubborn unbending republicans, partly from political, partly from religious principle. To them he affected to unbosom himself without reserve. He was still, he protested, the same humble individual whom they had formerly known him. Had he consulted his own feelings, "he would rather have taken the staff of a shepherd" than the dignity of protector. Necessity had imposed the office upon him: he had sacrificed his own happiness to preserve his countrymen from anarchy and ruin; and, as he now bore the burthen with reluctance, he would lay it down with joy, the moment he could do so with safety to the nation. But this language made few proselytes. They had too often already been the dupes of his hypocrisy, the victims of their own credulity: they scrupled not, both in public companies and from the pulpit, to pronounce him "a dissembling perjured villain;" and they openly threatened him with "a worse fate than had befallen the last tyrant." If it was necessary to silence these declaimers, it was also dangerous to treat them with severity. He proceeded with caution, and modified his displeasure by circumstances. Some he removed from their commissions in the army and their ministry in the church: others he did not permit to go at large, till they had given security for their subsequent behaviour; and those who proved less tractable, or appeared more dangerous, he incarcerated in the Tower. Among the last were Harrison, formerly his fellow-labourer in the dissolution of the long parliament, now his most implacable enemy; and Feak and Powell, the anabaptist preachers, who had braved his resentment during the last parliament. Symson, their colleague, shared their imprisonment, but procured his liberty by submission.*

1654. Feb. 30. July 26.

Executes several royalists.

To the royalists, as he feared them less, he showed less forbearance. Charles, who still resided in Paris, maintained a constant correspondence with the friends of his family in England, for the the two-fold purpose of preserving a party ready to take advantage of any revolution in his favour, and of deriving from their loyalty advances of money for his own support and that of his followers. Among the agents whom he employed were men who betrayed his secrets, or pretended secrets, to his enemies,† or who seduced his adherents into imaginary

* Thurloe, i. 641, 2; ii. 67, 8. Whitelock, 580. 2. 596. Ludlow, ii. 47.

† Clarendon informs Nicholas (June 12), that in reality no one secret had

plots, that by the discovery they might earn the gratitude of the protector. Of the latter class was an individual named Henshaw, who had repaired to Paris, and been refused what he solicited, admission to the royal presence. On his return, he detailed to certain royalists a plan by which the protector might be assassinated on his way to Hampton-court; the guards at Whitehall be overpowered; the town be surprised; and the royal exile be proclaimed. Men were found to listen to his suggestions; and when a sufficient number was entangled in the toil, forty were apprehended and examined. Of these many consented to give evidence; three were selected for trial before the high court of justice. Fox, one of the three, pleaded guilty, and thus, by giving countenance to the evidence of Henshaw, deserved and obtained his pardon. Vowell, a schoolmaster, and Gerard, a young gentleman two-and-twenty years of age, received judgment of death. The first suffered on the gallows, glorying that he died a martyr in the cause of royalty. Gerard, before he was beheaded, protested in the strongest terms that, though he had heard, he had never approved of, the design.* In the depositions it was pretended that Charles had given his consent to the assassination of the protector. Cromwell, though he professed to disbelieve the charge, as a measure of self-defence threatened the exiled prince that, if any such attempt were encouraged, he should have recourse to retaliation, and at the same time, intimated that it would be no difficult matter for him to execute his threat.†

May 24.

June 30.

July 6.

July 10.

On the same scaffold, but an hour later, perished a foreign nobleman, only nineteen years old, Don Pantaleon Sa, brother to the Portuguese ambassador.

Don Pantaleon Sa.

been betrayed or discovered. Cla. Pap. iii. 247. A committee of royalists, under the name of the "Sealed Knot," was known to exist in London, but the members could not be discovered, Thurloe, ii. 64, 5. 70, 1.

* State Trials, v. 517,—540. Thurloe, ii. 416. 466, 7. Whitelock, 591, 2, 3. Henshaw was not produced on the trial. It was pretended that he had escaped. But we learn from Thurloe that he was safe in the Tower, and so Gerard suspected in his speech on the scaffold.

† Cromwell did not give credit to the plots for murdering him. Thurloe, ii. 512, 533. Clarendon writes thus on the subject to his friend Nicholas: "I do assure you, upon my credit I do not know, and upon my confidence, the king does not, of any such design. Many wild, foolish persons proposed wild things to the king, which he civilly discountenances, and then they and their friends brag what they hear, or could do; and, no doubt, in some such noble rage that hath now fallen out which they talk so much of at London, and by which many honest men are in prison, of which whole matter the king knows no more than secretary Nicholas doth." Clar. Pap. iii. 247. But see post, note 56.

1653. Six months before he and Gerard, whose execution
Nov. 21. we have just noticed, had quarrelled in the New
Nov. 22. Exchange. Pantaleon, the next evening, repaired to the same place with a body of armed followers; a fray ensued; Greenway, a person unconcerned in the dispute, was killed by accident or mistake; and the Portuguese fled to the house of the ambassador, whence they were conducted to prison by the military. The people, taking up the affair as a national quarrel, loudly demanded the blood of the reputed murderers. On behalf of Pantaleon it was argued; 1, that he was an ambassador, and therefore answerable to no one but his master; 2, that he was a person attached to the embassy, and therefore covered by the privilege of his principal. But the instrument, which he produced in proof of the first allegation, was no more than a written promise that he should succeed his brother in office; and, in reply to the second, it was maintained that the privilege of an ambassador, whatever it might be, was personal, and did not extend to the individuals in his suite. At the bar,

1654. after several refusals, he was induced by the threat
June 5. of the *peine forte et dure* to plead not guilty; and his demand of counsel, on account of his ignorance of English law, was rejected on the ground that the court was "of counsel equal to the prisoner and the commonwealth." He was found guilty, and condemned, with four of his associates. To three of these the protector granted a pardon; but no entreaties of the several ambassadors could prevail in

July 10. favour of Pantaleon. He was sacrificed, if we believe one of them, to the clamour of the people, whose feelings were so excited that, when his head fell on the scaffold, the spectators proclaimed their joy by the most savage yells of exultation.*

And a catholic clergyman. These executions had been preceded by one of a very different description. Colonel Worsley had apprehended in his bed a catholic clergyman, of the name of Southworth, who, thirty-seven years before, had been convicted at Lancaster, and sent into banishment. The old man (he had passed his seventy-

* See in State Trials, v. 461—518, a numerous collection of authorities and opinions respecting this case. Also ibid. 536. That Pantaleon and his friends were armed, cannot be denied: was it for revenge? So it would appear from the relation in Somers, Tracts, iii. 65, Whitelock, 569, and State Trials, v. 482. Was it solely for defence? Such is the evidence of Metham (Thurloe, ii. 222), and the assertion of Pantaleon at his death, Whitelock, ii. 595.

second year), at his arraignment pleaded that he had taken orders in the church of Rome, but was innocent of any treason. The recorder advised him to withdraw his plea, and gave him four hours for consideration. But Southworth still owned that he was a catholic and in orders; judgment of death was pronounced; and the protector, notwithstanding the urgent solicitations of the French and Spanish ambassadors, resolved that he should suffer. It was not that Cromwell approved of sanguinary punishment in matters of religion, but that he had no objection to purchase the good will of the godly by shedding the blood of a priest. Whether it were through curiosity or respect, two hundred carriages and a crowd of horsemen followed the hurdle on which Southworth was drawn to the place of execution. On the scaffold, he spoke with satisfaction of the manner of his death, but at the same time pointed out the inconsistency of the men who pretended to have taken up arms for liberty of conscience, and yet shed the blood of those who differed from them in religious opinion. He suffered the usual punishment of traitors.* June 28.

Conciliates the army in Ireland.

The intelligence of the late revolution had been received by the military in Ireland and Scotland with open murmurs on the part of some, and a suspicious acquiescence on that of others. In Ireland, Fleetwood knew not how to reconcile the conduct of his father-in-law with his own principles, and expressed a wish to resign the government of the island: Ludlow and Jones, both staunch republicans, looked on the protector as a hypocrite and an apostate, and though the latter was more cautious in his language, the former openly refused to act as civil commissioner under the new constitution: and in most of the garrisons several of the principal officers made no secret of their dissatisfaction, in one case they even drew up a remonstrance against "the government by a single person." But Cromwell averted the storm which threatened him, by his prudence and firmness. He sent his son Henry on a visit to Fleetwood, that he might learn the true disposition of the military: the more formidable of his opponents were silently withdrawn to England, and several of the others found themselves suddenly but successively deprived of their commands. In most cases interest proved more powerful than principle: and it was observed that out of the numbers, who at first crowd-

* Thurloe, ii. 406. Whitelock, 692. Challener, ii. 354. Knaresborough's Collections, MS.

ed to the anabaptist conventicle at Dublin, as a profession of their political creed, almost all who had any thing to lose, gradually abandoned it for the more courtly places of worship. Even the anabaptists themselves learned to believe that the ambition of a private individual could not defeat the designs of the Lord, and that it was better for men to retain their situations under the protector, than, by abandoning them, to deprive themselves of the means of promoting the service of God, and of hastening the reign of Christ upon earth.*

Subdues the Scottish royalists.

In Scotland, the spirit of disaffection equally prevailed among the superior officers; but their attention was averted from political feuds by military operations. In the preceding years, under the appearance of general tranquillity, the embers of war had continued to smoulder in the highlands: they burst into a flame on the departure of Monk to take the command of the English fleet. To Charles in France and his partisans in Scotland it seemed a favourable moment; the earls of Glencairn and Balcarras were successively joined by Angus, Montrose, Athol, Seathforth, Kenmure, and Lorn, the son

1653. Nov. 22. of Argyle; and Wogan, an enterprising officer, landing at Dover, raised a troop of loyalists in London, and, traversing England under the colours of the commonwealth, reached in safety the quarters of his Scottish friends. The number of the royalists amounted to some thousands; the nature of the country, and the affections of the natives were in their favour; and their spirits were supported by the repeated, but fallacious, intelligence of the speedy arrival of Charles himself at the head of a considerable force. A petty, but most destructive, warfare ensued. Robert Lilburne, the English commander, ravaged the lands of all who favoured the royalists; the royalists, those of all who remained neuter, or aided their enemies. But in a short time personal feuds distracted the counsels of the insurgents; and, as

1654. Feb. 1. the right of Glencairn to the chief command was disputed, Middleton arrived with a royal commis-

April 8. sion, which all were required to obey. To Middleton the protector opposed Monk. It was the policy of the former to avoid a battle, and exhaust the strength of his adversary by marches and counter-marches in a mountainous

July 18. country, without the convenience of roads or quarters; but in an attempt to elude his pursuer, Middleton fell in with Morgan, the commander of an English

* Thurloe, ii. 149, 150. 162. 214.

division; his men, embarrassed in the defile, were slain or made prisoners; and his loss taught the royalist leaders to deserve mercy by the promptitude of their submission. The earl of Tullibardine set the example; Glencairn followed; they were imitated by their associates; and the lenity of Monk contributed as much as the fortune of war to the total suppression of the insurgents.* Cromwell, however, did not wait for the issue of the contest. Before Monk had joined the army, he published three ordinances, by which, of his supreme authority, he incorporated Scotland with England, absolved the natives from their allegiance to Charles Stuart, abolished the kingly office and the Scottish parliament, with all tenures and superiorities importing servitude and vassalage, erected courts-baron to supply the place of the jurisdictions which he had taken away, and granted a free pardon to the nation, with the exception of numerous individuals subjected to different degrees of punishment. Thus the whole frame of the Scottish constitution was subverted: but no one ventured to remonstrate or oppose. The spirit of the nation had been broken. The experience of the past, and the presence of the military, convinced the people that resistance was fruitless: of the nobility many languished within the walls of their prisons in England, and the others were ground to the dust by the demands of their creditors and the exactions of the sequestrators; and even the kirk had been taught to feel that its authority, though celestial in its origin, was no match for the earthly power of the commonwealth.†

Aug. 24.

April 12.

* See the ratification of the surrenders of Tullibardine, Glencairn, Heriot, Forrester, Kenmure, Montrose, and Seaforth, dated at different times between Aug. 24 and Jan. 10, in the Council Book, 1655, Feb. 7.

† Scobell, 289, 293—5. Whitelock, 583. 597. 9. Burnet, i. 100—4. Oxford, 1823. Baillie, ii. 377. 381. Milton's State Papers, 130, 131. The last year (July 20) the general assembly met in Edinburgh, but Colone Cotterel entered and inquired by what authority they sate there. It was answered that they "were a spiritual court of Jesus Christ, which meddled not with any thing civil; that their authority was from God, and established by the laws of the land; and that by the solemn league and covenant a great part of the English army was bound to defend their meeting." But Cotterel understood not this language. He ordered the members to follow him, marched them, surrounded by the military, a mile out of the town, and then forbad them to meet together in a greater number than three persons, or to remain in Edinburgh after eight o'clock on the following morning. See Baillie's pathetic lamentation on this event, vol. ii. p. 370. Yet Kirkton, another theological luminary, tells us that "all the time of this government the work of the gospel prospered (in Scotland) not a little but mightily. I verily believe there were more souls converted unto Christ in that short period of time than in any season since the reformation. Ministers were painful, people were diligent—at their solemn communions many congregations met in great multi-

Is courted by foreign powers.

By foreign powers the recent elevation of Cromwell was viewed without surprise. They were acquainted with his ambition, and had anticipated his success. All that had any thing to hope from his friendship, or to fear from his enmity, hastened to offer their congratulations, and ambassadors and envoys from most of the princes of Europe crowded to the court of the protector. He received them with all the state of a sovereign. From his apartment in the cockpit he had removed with his family to those which in former times had been appropriated to the king; they were newly furnished in the most costly and magnificent stile; and in the banquetting room was placed a chair of state on a platform, raised by three steps above the floor. Here the protector stood to receive the ambassadors. They were instructed to make three reverences, one at the entrance, the second in the midway, and the third at the lower step, to each of which Cromwell answered by a slight inclination of the head. When they had delivered their speeches, and received the reply of the protector, the same ceremonial was repeated at their departure. On one occasion he was requested to permit the gentlemen attached to the embassy to kiss his hand; but he advanced to the upper step, bowed to each in succession, waved his hand, and withdrew. On the conclusion of peace with the States, the ambassadors received from him an invitation to dinner. He sate alone on one side of the table, they, with some lords of the council, on the other. Their ladies were entertained by the lady protectoress. After dinner both parties joined in the withdrawing room; pieces of music were performed, and a psalm was sung, a copy of which Cromwell gave to the ambassadors, observing that it was the best paper that had ever passed between them. The entertainment concluded with a walk in the gallery.*

Treaty with the States.

The first treaty which demanded his notice was that with the United Provinces. During his government the English navy had not forfeited that proud superiority over its maritime rival, which it had originally acquired under the fostering care of the parliament. In the preceding month of May the hostile fleets,

tudes, some dozen of ministers used to preach, and the people continued, as it were, in a sort of trance, (so serious were they in spiritual exercises) for three days at least." Kirkton, 54, 55.

* Clarendon Papers, iii. 240. Thurloe, i. 50. 69. 154. 257. It appears from the Council Book that the quarterly expense of the protector's family amounted to 35,000*l*. 1655, March 14.

each consisting of about one hundred sail, had put to sea, the English commanded by Monk, Dean, Penn, and Lawson; the Dutch by Van Tromp, De Ruyter, De Witte, and Evertsens. While Monk insulted the coast of Holland, Van Tromp cannonaded the town of Dover. They afterwards met each other off the North Foreland, and the action continued the whole day. The enemy lost two sail: on the part of the English, Dean was killed by a chain shot. He fell by the side of Monk, who instantly spread his cloak over the dead body, that the men might not be alarmed at the fate of their commander. 1653. June 2.

The battle was renewed the next morning. Though Blake, with eighteen sail, had joined the English in the night, Van Tromp fought with the most determined courage; but a panic pervaded his fleet; his orders were disobeyed; several captains fled from the superior fire of the enemy; and, ultimately, the Dutch sought shelter within the Wielings and along the shallow coast of Zealand. They lost one-and-twenty sail; thirteen hundred men were made prisoners, and the number of killed and wounded was great in proportion.* Victory of the English. June 3.

Cromwell received the news of this victory with transports of joy. Though he could claim no share in the merit (for the fleet owed its success to the exertions of the government which he had overturned,) he was aware that it would shed a lustre over his own administration; and the people were publicly called upon to return thanks to the Almighty for so signal a favour. It was observed that on this occasion he did not command but invite, and the distinction was hailed by his admirers as a proof of the humility and single-mindedness of the lord-general.†

To the States the defeat of their fleet proved a subject of the deepest regret. It was not the loss of men and ships that they deplored: such loss might soon be repaired; but it degraded them in the eyes of Europe, by placing them in the posture of suppliants deprecating the anger of a victorious enemy. In consequence of the importunate entreaties of the merchants, they had pre- The Dutch offer to negotiate.

* Whitelock, 557. Ludlow, ii 27. Heath, 344. Le Clerc, i. 393. Basnage, i. 903. It appears from the letters in Thurloe, that the English fought at the distance of half cannon shot, till the enemy fell into confusion, and began to fly, when their disabled ships were surrounded and captured by the English frigates. Thurloe, i. 269, 270. 3. 7. 8.

† Whitelock, 558.

May 26. viously appointed ambassadors to make proposals of peace to the new government; but these ministers did not quit the coast of Holland till after the battle; and their arrival in England at this particular moment was universally attributed to a conviction of inferiority arising from the late defeat. They were introduced with due

June 22. honour to his excellency and the council; but found them unwilling to recede from the high demands formerly made by the parliament. As to the claim of indemnification for the past, the ambassadors maintained that, if a balance were struck of their respective losses, the Dutch would be found the principal sufferers; and, to the demand of security for the future, they replied, that it might be obtained by the completion of that treaty, which had been interrupted by the sudden departure of St. John and Strickland from

July 19. the Hague. The obstinacy of the council induced the ambassadors to demand passports for their return; but means were found to awaken in them new hopes, and to amuse them with new proposals. In the conferences, Cromwell generally bore the principal part. Sometimes he chided the ambassadors in no very courteous terms; sometimes he described with tears the misery occasioned by the war; but he was always careful to wrap up his meaning in such obscurity, that two months elapsed before the Dutch could distinctly ascertain his real purpose. They were then informed, that England would waive the claim of pecuniary compensation, provided Van Tromp were removed for a while from

July 26. the command of their fleet, as an acknowledgment that he was the aggressor; but that, on the other hand, it was expected that the States should consent to the incorporation of the two countries into one great maritime power, to be equally under the same government, consisting of individuals chosen out of both. This was a subject on which the ambassadors had no power to treat; and it was agreed that two of their number should repair to the Hague for additional instructions.*

A second victory. But, a few days before their departure, another battle had been fought at sea, and another victory won by the English. For eight weeks Monk had blockaded the entrance of the Texel; but Van Tromp, the moment his fleet was repaired, put to sea, and sought to redeem the honour of the Belgic flag. Each admiral com-

* See on this subject a multitude of original papers in Thurloe, i. 268-284. 302, 8. 315, 6. 340. 362. 370, 2. 381, 2. 394. 401.

manded about one hundred sail; and as long as Tromp lived, the victory hung in suspense; but he fell by a musket shot: the Dutch began to waver; in a short time they fled, and the pursuit continued till midnight. That which distinguished this from every preceding action was the order issued by Monk to make no prizes, but to sink or destroy the ships of the enemy. Hence the only trophies of victory were the prisoners, men who had been picked up after they had thrown themselves into the water, or had escaped in boats from the wrecks. Of these, more than a thousand were brought to England, a sufficient proof that, if the loss of the enemy did not amount to twenty sail, as stated by Monk, it exceeded nine small vessels, the utmost allowed by themselves.* July 31.

During the absence of the other ambassadors, Cromwell sought several private interviews with the third who remained, Beverningk, the deputy from the States of Holland; and the moderation with which he spoke of the questions in dispute, joined to the tears with which he lamented the enmity of two nations so similar in their political and religious principles, convinced the Dutchman that an accommodation might be easily and promptly attained. At his desire his colleagues returned; the conferences were resumed; the most cheering hopes were indulged; when suddenly the English commissioners presented seven-and-twenty articles, conceived in a tone of insulting superiority, and demanding sacrifices painful and degrading. A few days later the parliament was dissolved; and, as it was evident that the interests of the new protector required a peace, the ambassadors began to affect indifference on the subject, and demanded passports to depart. A temperament was now discovered: some claims were abandoned; others were modified, and every question was adjusted with the exception of this, whether the king of Denmark, the ally of the Dutch, who, to gratify them, had seized and confiscated twenty-three English merchantmen in the Baltic,† should be comprehended or not in the treaty. The ambassadors were at Gravesend on their way home, when Cromwell proposed a new expedient, which they approved. They proceeded, however, to Holland; obtained the approbation

Progress of the negotiation. Oct. 19. Nov. 24. 1654. Jan. 6.

* Le Clerc, i. 335. Basnage, i. 313. Several Proceedings, No. 197. Perfect Diurnal, No. 187. Thurloe, i. 392. 420. 448.

† Basnage, i. 289.

Feb. 28. of the several States, and returned to put an end to the treaty. But here again, to their surprise, new obstacles arose. Beverningk had incautiously boasted of his dexterity: he had, so he pretended, compelled the protector to lower his demands by threatening to break off the negotiation; and Cromwell now turned the tables upon him by playing a similar game. At the same time that he rose in some of his demands, he equipped a fleet of one April 5. hundred sail, and ordered several regiments to embark. The ambassadors, aware that the States had made no provision to oppose this formidable armament, reluctantly acquiesced; and on the 5th of April, after a negotiation of ten months, the peace was definitively signed.*

Articles of peace. By this treaty the English cabinet silently abandoned those lofty pretensions which it had originally put forth. It made no mention of indemnity for the past, or security for the future; of the incorporation of the two states; of the claim of search: of the tenth herring; or of the exclusion of the prince of Orange from the office of stadtholder. To these humiliating conditions the pride of the States had refused to submit; and Cromwell was content to accept two other articles, which, while they appeared equally to affect the two nations, were in reality directed against the Stuart family and its adherents. It was stipulated that neither commonwealth should harbour or aid the enemies, rebels, or exiles, of the other; but that either, being previously required, should order such enemies, rebels, or exiles, to leave its territory under the penalty of death before the expiration of twenty-eight days. To the demand, that the same respect which had been paid to the flag of the king should be paid to that of the commonwealth, the Dutch did not object. The only questions which latterly retarded the conclusion of the treaty regarded the compensation to be made to the merchants for the depredations on their trade in the East Indies before, and the detention of their ships by the king of Denmark during the war. It was, however, agreed that arbitrators should Aug. 30. be chosen out of both nations, and that each government should be bound by their award.† These determined that the island of Polerone should be restored, and

* Thurloe, i. 570. 607. 616. 624. 643. 650; ii. 9. 19. 28. 36. 74, 5. 123. 137. 195. 197. Le Clerc, i 340—8. During the whole negotiation, it appears from these papers that the despatches of and to the ambassadors were opened, and copies of almost all the resolutions taken by the States procured by the council of state. See particularly, ii. 99. 153.

† Dumont, v. par. ii. 74.

damages to the amount of 170,000*l.* should be paid to the English East India Company; that 3,615*l.* should be distributed among the heirs of those who suffered at Amboyna; and that a compensation of 97,973*l.* should be made to the traders to the Baltic.*

Secret treaty with Holland.

On one subject, in the protector's estimation of considerable importance, he was partially successful. Possessed of the supreme power himself, he considered Charles as a personal rival, and made it his policy to strip the exiled king of all hope of foreign support. From the prince of Orange, so nearly allied to the royal family, Cromwell had little to fear during his minority; and, to render him incapable of benefiting the royal cause in his more mature age, he attempted to exclude him by the treaty from succeeding to those high offices which might almost be considered as hereditary in his family. The determined refusal of the States had induced him to withdraw the demand; but he intrigued, through the agency of Beverningk, with the leaders of the Louvestein faction, and obtained a secret article, by which the States of Holland and West Friesland promised never to elect the prince of Orange for their stadtholder, nor suffer him to have the chief command of the army and navy. But the secret transpired; the other States highly resented this clandestine negotiation; complaints and remonstrances were answered by apologies and vindications; an open schism was declared between the provinces, and every day added to the exasperation of the two parties. On the whole, however, the quarrel was favourable to the pretensions of the young prince, from the dislike with which the people viewed the interference of a foreign potentate, or rather, as they termed him, of an usurper, in the internal arrangements of the republic.†

Negotiation with Spain. 1653.

The war in which the rival crowns of France and Spain had so long been engaged, induced both Louis and Philip to pay their court to the new protector. Alonzo de Cardenas, the Spanish ambassador, had

* See the award, ibid. 85. 88. By Sagredo, the Venetian ambassador who resided during the war at Amsterdam, we are told that the Dutch acknowledged the loss of 1,122 men of war and merchantmen; and that the expense of this war exceeded that of their twenty years' hostilities with Spain. He states, that their inferiority arose from three causes: that the English ships were of greater bulk; the English cannon were of brass, and of a larger caliber; and the number of prizes made by the English at the commencement crippled the maritime resources of their enemies. Relazione, MS.

† Dumont, 79. Thurloe, vol. ii. iii. passim. See La Deduction, or Defense of the States of Holland, in Le Clerc, i. 345, and Basnage, i. 342.

the advantage of being on the spot. He waited on Cromwell to present to him the congratulations of his sovereign, and to offer to him the support of the Spanish monarch, if he should feel desirous to rise a step higher, and assume the the stile and office of king. To so flattering a message, a most courteous answer was returned; and the ambassador proceeded to propose an alliance between the two powers, of which the great object should be to confine within reasonable bounds the ambition of France, which, for so many years, had disturbed the tranquillity of Europe. This was the sole advantage to which Philip looked: to Cromwell the benefit would be, that France might be compelled to refuse aid and harbour to Charles Stuart and his followers; and to contract the obligation of maintaining jointly with Spain the protector in the government of the three kingdoms. Cromwell listened, but gave no answer: he appointed commissioners to discuss the proposal, but forbad them to make any promise, or to hold out any hope of his acquiescence. When Don Alonzo communicated to them the draft of a treaty which he had all but concluded with the deputies appointed by the late parliament, he was asked whether the king of Spain would consent to a free trade to the West Indies; would omit the clause respecting the inquisition; reduce to an equality the duties on foreign merchandize; and give to the English merchant the pre-emption of the Spanish wool. He replied, that his master would as soon lose his eyes as suffer the interference of any foreign power on the two first questions; as to the others, satisfactory adjustments might easily be made. This was sufficient for the present. Cromwell affected to consider the treaty at an end; though the real fact was, that he meditated a very different project in his own mind, and was careful not to be precluded by premature arrangements.*

With France.

The French ambassador, though he commenced his negotiation under less propitious auspices, had the address or good fortune to conduct it to a more favourable issue. That the royal family of France, from its relationship to that of England, was ill-disposed towards the commonwealth, there could be no doubt; but its inclinations were controlled by the internal feuds which distracted, and the external war which demanded, the attention

* Thurloe, i. 705. 759. 760. Dumont, v. part ii. p. 106. The clause respecting the inquisition was one which secured the English traders from being molested by that court, on condition they gave no scandal: modo ne det scandalum. This condition Cromwell wished to be withdrawn.

of the government. The first proof of hostility was supposed to be given before the death of the king, by a royal arret prohibiting the importation into France of English woollens and silks: and this was afterwards met by an order of parliament equally prohibiting the importation into England of French woollens, silks, and wines. The alleged infraction of these commercial regulations led to the arrest and subsequent condemnation of vessels belonging to both nations: each government issued letters of marque to the sufferers among its subjects; and the naval commanders received instructions to seek that compensation for the individuals aggrieved which the latter were unable of themselves to obtain.* Thus the maritime trade of both countries was exposed to the depredations of private and national cruisers, while their respective governments were considered as remaining at peace. But in 1651, when the cardinal Mazarin had been banished from France, it was resolved by Cromwell, who had recently won the battle of Worcester, to tempt the fidelity of D'Estrades, the governor of Dunkirk and a dependent on the exiled minister. An officer of the lord general's regiment made to D'Estrades the offer of a considerable sum, on condition that he would deliver the fortress into the hands of the English; or of the same sum, with the aid of a military force to the cardinal, if he preferred to treat in the name of his patron. The governor complained of the insult offered to his honour; but intimated that, if the English wished to purchase Dunkirk, the proposal might be addressed to his sovereign. The hint was taken, and the offer was made, and debated in the royal council at Poitiers. The cardinal, who returned to France at the very time, urged its acceptance;† but the queen mother and the other counsellors were so unwilling to give the English a footing in France, that he acquiesced in their opinion, and a refusal was returned. Crom-

1648. Oct. 21.

1649. Aug. 13. Aug. 23.

Respecting Dunkirk.

1652. Feb.

* See the Instructions to Popham. "In respect that many of the English so spoiled are not able to undergo the charge of setting forth ships of their own to make seizures by such letters of marque; you shall, as in the way and execution of justice, seize, arrest, etc. such ships and vessels of the said French king or any of his subjects as you shall think fit; and the same keep in your custody, till the parliament declare their further resolution concerning the same." Thurloe, i. 144.

† Here Louis XIV, to whom we are indebted for this anecdote, observes that it was the cardinal's maxim de pourvoir, à quelque prix qu'il fût, aux affaires présentes, persuadé que les maux à venir trouveroient leur remède dans l'avenir même. OEuvres de Louis XIV. i. 170.

well did not fail to resent their disappointment. By the facility which he afforded to the Spanish levies in Ireland, their army in Flanders was enabled to reduce Gravelines, and, soon afterwards, to invest Dunkirk. That fortress was on the point of capitulating, when a French flotilla of seven sail, carrying from twenty to thirty guns each, and laden with stores and provisions, was descried stealing along the shore to its relief. Blake, who had received secret orders from the council, gave chace; the whole squadron was captured, and the next day Dunkirk opened its gates.* By the French court this action was pronounced an unprovoked and unjustifiable injury; but Mazarin coolly calculated the probable consequences of a war, and, after some time, sent over Bordeaux, under the pretence of claiming the captured ships, but in reality to oppose the intrigues of the agents of Spain, of the prince of Condé, and of the city of Bordeaux, who laboured to obtain the support of the commonwealth in opposition to the French court.†

May. 8.

Sep. 5.

Dec. 10.

Cromwell comes to no decision.

Bordeaux had been appointed ambassador to the parliament: after the inauguration of Cromwell it became necessary to appoint him ambassador to his highness the protector. But in what stile was Louis to address the usurper by letter? "Mon cousin" was offered and refused: "mon frere," which Cromwell sought, was offensive to the pride of the monarch: and, as a temperament between the two, "monsieur le protecteur" was given and accepted. Bordeaux proposed a treaty of amity, by which all letters of marque should be recalled, and the damages suffered by the merchants of the two nations be referred to foreign arbitrators. To thwart the efforts of his rival, Don Alonzo, abandoning his former project, brought forward the proposal of a new commercial treaty between England and Spain. Cromwell was in no haste to conclude with either. He was aware that the war between them was the true cause of these applications; that he held the balance in his hand, and that it was in his power at any moment to incline it in favour of either of the two crowns. His determination indeed had long been taken: but it was not his purpose to let it transpire; and, when he was asked the object of the two great armaments preparing in the

1653. Feb. 21.

* Ibid. 168—170. See also Heath, 335. Thurloe, i. 214. Whitelock, 543.

† Journals, 14 Dec. 1652, Clar. Pap. iii. 105. 123. 132. Thurloe, i. 436.

English ports, he refused to give any satisfactory explanation.*

In this state of the treaty, its further progress was for a while suspended by the meeting of the protector's first parliament. He had summoned it for the 3d of September, his fortunate day, as he perhaps believed himself, as he certainly wished it to be believed by others. But the 3d happened in that year to fall on a Sunday; and, that the sabbath might not be profaned by the agitation of worldly business, he requested the members to meet him at sermon in Westminster-abbey on the following morning. At ten the procession set out from Whitehall. It was opened by two troops of life-guards; then rode some hundreds of gentlemen and officers, bareheaded, and in splendid apparel; immediately before the carriage walked the pages and lackeys of the protector in rich liveries, and on each side a captain of the guard; behind it came Claypole, master of the horse, leading a charger magnificently caparisoned, and Claypole was followed by the great officers of state and the members of the council. The personal appearance of the protector formed a striking contrast with the parade of the procession. He was dressed in a plain suit, after the fashion of a country gentleman, and was chiefly distinguished from his attendants by his superior simplicity, and the privilege of wearing his hat. After sermon, he placed himself in the chair of state in the painted chamber, while the members seated themselves, uncovered, on benches ranged along the walls. The protector then rose, took off his hat, and addressed them in a speech which lasted three hours. It was, after his usual style, verbose, involved, and obscure, sprinkled with quotations from scripture to refresh the piety of the saints, and seasoned with an affectation of modesty to disarm the enmity of the republicans. He described the state of the nation at the close of the last parliament. It was agitated by the principles of the levellers, tending to reduce all to an equality; by the doctrines of the fifth monarchy men, subversive of civil government; by religious theorists, the pretended champions of liberty of conscience, who condemned an established ministry as

New parliament meets. 1654. Sep. 3.

Sep. 4.

* Thurloe, i. 760; ii. 61. 113. 228. 559. 587. An obstacle was opposed to the progress of the treaty by the conduct of De Baas, a dependent on Mazarin, and sent to aid Bordeaux with his advice. After some time, it was discovered that this man (whether by order of the minister, or at the solicitation of the royalists, is uncertain) was intriguing with the malcontents. Cromwell compelled him to return to France. Thurloe, ii. 309. 351. 413. 437.

Babylonish and antichristian; and by swarms of jesuits, who had settled in England an episcopal jurisdiction to pervert the people. At the same time the naval war with Holland absorbed all the pecuniary resources, while a commercial war with France and Portugal cramped the industry, of the nation. He then bade them contrast this picture with the existing state of things. The taxes had been reduced; judges of talent and integrity had been placed upon the bench; the burthen of the commissioners of the great seal had been lightened by the removal of many descriptions of causes from the court of Chancery to the ordinary courts of law; and "a stop had been put to that heady way for every man, who pleased, to become a preacher." The war with Holland had terminated in an advantageous peace; treaties of commerce and amity had been concluded with Denmark and Sweden;* a similar treaty, which would place the British trader beyond the reach of the inquisition, had been signed with Portugal, and another was in progress with the ambassador of the French monarch. Thus had the government brought the three nations by hasty strides towards the land of promise; it was for the parliament to introduce them into it. The prospect was bright before them; let them not look back to the onions and flesh-pots of Egypt. He spoke not as their lord, but their fellow-servant, a labourer with them in the same good work; and would therefore detain them no longer, but desire them to repair to their own house, and choose their speaker.†

Not favourable to his views.

To procure a parliament favourable to his designs, all the power of the government had been employed to influence the elections: the returns had been examined by a committee of the council, under the pretext of seeing that the provisions of the "instrument" were observed; and the consequence was that the lord Grey of

* That with Sweden was negotiated by Whitelock, who had been sent on that mission against his will by the influence of Cromwell. The object was to detach Sweden from the interest of France, and engage it to maintain the liberty of trade in the Baltic, against Denmark, which was under the influence of Holland. It was concluded April 11. After the peace with Holland, the Danish monarch hastened to appease the protector: the treaty which, though said by Cromwell to be already concluded, was not signed till eleven days afterwards, stipulated that the English traders should pay no other customs or dues than the Dutch. Thus they were enabled to import naval stores on the same terms, while before, on account of the heavy duties, they bought them at second hand of the Dutch. See the Treaties in Dumont, v. par ii. p. 80. 92.

† Compare the official copy, printed by G. Sawbridge, 1654, with the Abstracts by Whitelock, (509. 600), and by Bordeaux. Thurloe, ii. 588. See also Journals, Sep. 3, 4.

Groby, major Wildman, and some other noted republicans, had been excluded by the command of the protector. Still he found himself unable to mould the house to his wishes. By the court, Lenthall was put in nomination for the office of speaker; by the opposition, Bradshaw, the boldest and most able of the opposite party. After a short debate, Lenthall was chosen: by the one, because they knew him to be a timid and a time-serving character; by the other, because they thought that, to place him in the chair, was one step towards the revival of the long parliament, of which he had been speaker. But no one ventured to propose that he should be offered, according to ancient custom, to the acceptance of the supreme magistrate. This was thought to savour too much of royalty.*

Debates respecting the instrument. Sep. 6.

It was not long before the relative strength of the parties was ascertained. After a sharp debate, in which it was repeatedly asked why the members of the long parliament then present should not resume the authority of which they had been illegally deprived by force, and by what right, but that of the sword, one man presumed to "command his commanders," the question was put, that the house resolve itself into a committee, to determine whether or not the government shall be in a single person and successive parliaments; and, to the surprise and alarm of Cromwell, it was carried against the court by a majority of five voices.† The leaders of the opposition were Bradshaw, Haslerig, and Scot, who now contended in the committee that the existing government emanated from an incompetent authority, and stood in opposition to the solemn determination of a legitimate parliament; while the protectorists, with equal warmth, maintained that, since it had been approved by the people, the only real source of power, it could not be subject to revision by the representatives of the people. The debate lasted several days, during which the commonwealth party gradually increased its number. That the executive power might be profitably delegated to a single individual,

Sep. 8.

Sep. 9.

* It appears from the Council Book (1654, Aug. 21.) that, on that day letters were despatched to the sheriffs, containing the names of the members who had been approved by the council, with orders to give them notice to attend. The letters to the more distant places were sent first, that they might all be received about the same time.

† Many of those who voted in the majority did not object to the authority of the protector; but to the source from which it emanated, a written instrument, the author of which was unknown. They wished it to be settled on him by act of parliament. Thurloe, ii. 606.

was not disputed; but it was contended that, of right, the legislative authority belonged exclusively to the parliament. The officers and courtiers, finding that the sense of the house was against them, dropped the question of right, and fled to that of expediency: in the existing circumstances, the public safety required a check on the otherwise unbounded power of parliament; that check could be no other than a co-ordinate authority, possessing a negative voice; and that authority was the protector, who had been pointed out to them by Providence, acknowledged by the people in their addresses, and confirmed by the conditions expressed in the indentures of the members. It was replied, that the inconveniency of such a check had induced the nation to abolish the kingly government; that the addresses of the people expressed their joy for their deliverance from the incapacity of the little parliament, not their approbation of the new government; that Providence often permits what it disapproves, and that the indentures were an artifice of the court, which could not have force to bind the supreme power. To reconcile the disputants, a compromise between the parties had been planned; but Cromwell would not suffer the experiment to be tried.* Having ordered Harrison, whose partisans were collecting signatures to a petition, to be taken into custody, he despatched three regiments to occupy the principal posts in the city, and commanded the attendance of the house in the painted chamber. There, laying aside that tone of modesty which he had hitherto assumed, he frankly told the members that his calling was from God, his testimony from the people; and that no one but God and the people should ever take his office from him. It was not of his seeking: God knew that it was his utmost ambition to lead the life of a country gentleman; but imperious circumstances had imposed it upon him. The long parliament brought their dissolution upon themselves by despotism; the little parliament by imbecility.† On each occasion he found

Sep. 11.

Sep. 12.

The protector's speech.

* See introduction to Burton's Diary, xxiv—xxxii.

† It is remarkable that, in noticing the despotism of the long parliament, he makes mention of the very same thing, which his enemy, Lilburne, urged against: "by taking the judgment, both in capital and criminal things, to themselves, who, in former times, were not known to exercise such a judicature." He boldly maintains that they meant to perpetuate themselves by filling up vacancies as they occurred; and had made several applications to him to obtain his consent. He adds: "poor men, under this arbitrary power, were driven like flocks of sheep by 40 in a morning, to the confiscation of goods and estates, without any man being able to give a reason that two of them had deserved to forfeit a shilling. I tell you the truth; and my soul,

himself invested with absolute power over the military; and, through the military, over the three nations. But on each occasion he was anxious to part with that power; and if, at last, he had acquiesced in the instrument of government, it was because it made the parliament a check on the protector, and the protector a check on the parliament. That he did not bring himself into his present situation, he had God for a witness above; his conscience for a witness within; and a cloud of witnesses without: he had the persons who attended when he took the oath of fidelity to "the instrument;" the officers of the army in the three nations, testified their approbation by their signatures; the city of London which feasted him; the counties, cities, and boroughs that had sent him addresses; the judges, magistrates, and sheriffs, who acted by his commission; and the very men who now stood before him, for they came there in obedience to his writ, and under the express condition that "the persons so chosen should not have power to change the government as settled in one single person and the parliament." He would, therefore, have them to know that four things were fundamental: 1. that the supreme power should be vested in a single person and parliament: 2. that the parliament should be successive and not perpetual: 3. that neither protector nor parliament alone should possess the uncontrolled command of the military force: and 4. that liberty of conscience should be fenced round with such barriers as might exclude profaneness and persecution. The other articles of the instrument were less essential; they might be altered with circumstances; and he should always be ready to agree to what was reasonable. But he would not permit them to sit, and yet disown the authority by which they sate. For this purpose he had prepared a recognition which he required them to sign. Those who refused would be excluded the house: the rest would find admission, and might exercise their legislative power without control, for his negative remained in force no longer than twenty days. Let them limit his authority if they pleased. He would cheerfully submit, provided he thought it for the interest of the people.*

and many persons, whose faces I see in this place, were exceedingly grieved at these things, and knew not which way to help it, but by their mournings, and giving their negatives when the occasion served." I notice this passage, because since the discovery of the sequestrators' papers it has been thought from the regularity with which their books were kept, and the seeming equity of their proceedings as they are entered, little injustice was done.

* Printed by G. Sawbridge, 1654.

Subscription required from the members.

The members, on their return, found a guard of soldiers at the door of the house, and a parchment for signatures lying on a table in the lobby. It contained the recognition of which the protector had spoken; a pledge that the subscribers would neither propose nor consent to alter the government, as it was settled in one person and a parliament. It was immediately signed by Lenthall, the speaker; his example was followed by the court party; and in the course of a few days almost three hundred names were subscribed. The staunch republicans refused; yet the sequel showed that their exclusion did not give to the court that ascendancy in the house which had been anticipated.*

Cromwell falls from his carriage. Oct. 5.

About this time an extraordinary accident occurred. Among the presents which Cromwell had received from foreign princes, were six Friesland coach horses from the duke of Oldenburgh. One day, after he had dined with Thurloe under the shade in the park, the fancy took him to try the mettle of the horses. The secretary was compelled to enter the carriage: the protector, forgetful of his station, mounted the box. The horses at first appeared obedient to the hand of the new coachman; but the too frequent application of the lash drove them into a gallop, and the protector was suddenly precipitated from his seat. At first, he lay suspended by the pole with his leg entangled in the harness; and the explosion of a loaded pistol in one of his pockets added to the fright and the rapidity of the horses: but a fortunate jerk extricated his foot from his shoe, and he fell under the body of the carriage without meeting with injury from the wheels. He was immediately taken up by his guards, who followed at full speed, and conveyed to Whitehall: Thurloe leaped from the door of the carriage, and escaped with a sprained ancle and some severe bruises. Both were confined to their chambers for a long time; but by many, their confinement was attributed as much to policy as to indispositon. The cavaliers diverted themselves by prophecying that, as his first fall had been from a coach, the next would be from a cart: to the public, the explosion of the pistol revealed the secret terrors which haunted his mind: that sense of insecurity, those fears of assassination, which are the usual meed of inordinate and successful ambition.† *

* Thurloe, ii. 606. Whitelock, 605, Journals, Seps 5—18. Fleetwood, from Dublin, asks Thurloe, "How cam it to passe, that this last teste was not at the first sitting of the house?" ii. 620.

† Heath, 363. Thurloe, ii. 652, 3. 672. Ludlow, ii. 63.

The force so lately put on the parliament, and the occasion of that force, had opened the eyes of the most devoted among his adherents. His protestation of disinterestedness; his solemn appeals to heaven in testimony of his wish to lead the life of a private gentleman, were contrasted with his aspiring and arbitrary conduct; and the house, though deprived of one fourth of its number, still contained a majority jealous of his designs, and anxious to limit his authority. The accident which had placed his life in jeopardy naturally led to the consideration of the probable consequences of his death; and, to sound the disposition of the members, the question of the succession was repeatedly, though not formally, introduced. The remarks which it provoked afforded little encouragement to his hopes: yet, when the previous arrangements had been made, when all the dependents of the government had been mustered, Lambert, having in a long and studied speech, detailed the evils of elective, the benefits of hereditary, succession, moved that the office of protector should be limited to the family of Oliver Cromwell according to the known law of inheritance. To the surprise and the mortification of the party, the motion was negatived by a division of two hundred against eighty voices; and it was resolved that, on the death of the protector, his successor should be chosen by the parliament if it were sitting, and by the council in the absence of parliament.*

The parliament opposes his projects.

Oct. 13.

This experiment had sufficiently proved the feelings of the majority. Aware, however, of their relative weakness, they were careful to give Cromwell no tangible cause of offence. If they appointed committees to revise the ordinances which he had published, they affected to consider them as merely provisional re-

Reviews the instrument.

* Thurloe, i. 668. 681. 685. Whitelock, 607. Journals, Nov. 30. Though the house was daily occupied with the important question of the government, it found leisure to inquire into the theological opinions of John Biddle, who may be stiled the father of the English unitarians. He had been thrice imprisoned by the long parliament, and was at last liberated by the act of oblivion in 1562. The republication of his opinions attracted the notice of the present parliament; to the questions put to him by the speaker, he replied, that he could nowhere find in scripture that Christ or the Holy Ghost is called God; and it was resolved that he should be committed to the Gatehouse, and that a bill to punish him should be prepared. The dissolution saved his life; and, by application to the upper bench, he recovered his liberty; but was again arrested in 1655, and sent to the isle of Sicily to remain for life in the castle of St. Mary. Cromwell discharged him in 1658; but he was again sent to Newgate in 1662, where he died the same year. See Vita Bidelli, the short account. Journals, Dec. 12, 13. 1654. Wood, iii. 604. and Biog. Brit.

gulations, supplying the place of laws till the meeting of parliament. If they examined in detail the forty-two articles of the instrument, rejecting some, and amending others, they still withheld their unhallowed hands from those subjects which *he* had pronounced sacred, the four immovable pillars on which the new constitution was built. Cromwell, on his part, betrayed no symptom of impatience; but waited quietly for the moment when he had resolved to break the designs of his adversaries. They proceeded with the revision of "the instrument;" their labours were embodied in a bill, and the bill was read a third time. During two days the courtiers prolonged the debate by moving a variety of amendments; on the 3d Cromwell summoned the house to meet him in the painted chamber. Displeasure and contempt were marked on his countenance.

1655. Jan. 19. Jan. 22.

They appeared there, he observed, with the speaker at their head, as a house of parliament. Yet, what had they done as a parliament? He never had played, he never would play the orator; and therefore he would tell them frankly, they had done nothing. For five months they had passed no bill, had made no address, had held no communication with him. As far as concerned them, he had nothing to do but to pray that God would enlighten their minds and give a blessing to their labours. But had they then done nothing? Yes: they had encouraged the cavaliers to plot against the commonwealth, and the levellers to intrigue with the cavaliers. By their dissension they had aided the fanatics to throw the nation into confusion, and by the slowness of their proceedings had compelled the soldiers to live at free quarters on the country. They supposed that he sought to make the protectorship hereditary in his family. It was not true: had they inserted such a provision in the instrument, on that ground alone he would have rejected it. He spoke in the fear of the Lord who would not be mocked, and with the satisfaction that his conscience did not belie his assertion. The different revolutions which had happened were attributed to his cunning. How blind were men who would not see the hand of Providence in its merciful dispensations, who ridiculed, as the visions of enthusiasm, the observations "made by the quickening and teaching Spirit." It was supposed that he would not be able to raise money without the aid of parliament. "But he had been inured to difficulties, and never found God failing, when he trusted in him." The country would willingly pay on account of the necessity. But was not the necessity of his creation?

Is addressed by Cromwell.

No: it was of God; the consequence of God's providence. It was no marvel, if men who lived on their masses and service books, their dead and carnal worship, were strangers to the works of God; but for those who had been instructed by the Spirit of God, to adopt the same languague, and say that men were the cause of these things, when God had done them, this was more than the Lord would bear. But that he might trouble them no longer, it was his duty to tell them that their continuance was not for the benefit of the nation, and therefore he did then and there declare that he dissolved the parliament.* And dissolved.

This was a stroke for which his adversaries were unprepared. The instrument had provided that the parliament should sit during five months, and it still wanted twelve days of the expiration of that term. But Cromwell chose to understand the clause not of calendar but lunar months, the fifth of which had been completed on the preceding evening. Much might have been urged against such an interpretation: but a military force was ready to support the opinion of the protector, and prudence taught the most reluctant of his enemies to obey.

The conspiracies to which he had alluded in his speech, had been generated by the impatience of the two opposite parties, the republicans and the royalists. Of the republicans some cared little for religion, others were religious enthusiasts, but both were united in the same cause by one common interest. The first could not forgive the usurpation of Cromwell, who had reaped the fruit, and destroyed the object, of their labours: the second asked each other how they could conscientiously sit quiet, and allow so much blood to have been spilt and treasure expended, so many tears to have been shed, and vows offered, in vain. If they "hoped to look with confidence the king of terrors in the face, if they sought to save themselves from the bottomless pit, it was necessary to espouse once more the cause of him who had called them forth in their generation to assert the freedom of the people and the privileges of parliament."† Under these different impressions, pamphlets were published exposing the hypocrisy and perjuries of the protector; letters and agitators passed from regiment to regiment; and projects were suggested and entertained for the surprisal of Cromwell's person, Conspiracy of the republicans. 1655. Feb. 10.

* Printed by Henry Hills, printer to his highness, the lord protector, 1654. Whitelock, 610—618. Journals, Jan. 19, 20. 22.

† See Thurloe, iii. 29; and Milton's State Papers. 132.

and the seizure of the castle of Edinburgh, of Hull, Portsmouth, and other places of strength. But it was not easy for the republicans to deceive the vigilance, or elude the grasp, of their adversary. He dismissed all officers of doubtful fidelity from their commands in the army, and secured the obedience of the men by the substitution of others more devoted to his interest: by his order colonel Wildman was surprised in the very act of dictating to his secretary a declaration against the government of the most offensive and inflammatory tendency; and lord Grey of Groby, colonels Alured, Overton, and others, were arrested, of whom some remained long in confinement, others were permitted to go at large, on giving security for their peaceable behaviour.*

And of the royalists.

The other conspiracy, though more extensive in its ramifications, proved equally harmless in the result. Among the royalists, though many had resigned themselves to despair, there were still many, whose enthusiasm discovered in each succeeding event a new motive for hope and exultation. They listened to every tale which flattered their wishes, and persuaded themselves that on the first attempt against the usurper they would be joined by all who condemned his hypocrisy and ambition. It was in vain that Charles from Cologne, where he had fixed his court, recommended caution; that he conjured his adherents not to stake his and their hopes on projects, by which, without being serviceable to him, they would compromise their own safety. They despised his warnings; they accused him of indolence and apathy; they formed associations, collected arms, and fixed the fourteenth of February for simultaneous risings in most counties of England.† The day was, indeed, postponed; but Charles, at their request, proceeded in disguise to Middleburgh in Zealand, that he might be in readiness to cross over to England; and lord Wilmot, lately created earl of Rochester, with sir Joseph Wagstaff, arrived to take the command of the insurgents; the first in the northern, the second in the western counties. Wagstaff with two hundred horsemen of Wiltshire entered Salisbury at five o'clock in the morning on the very day of the assizes. The main body took possession of the market-place; and small detachments secured the horses at the different inns; liberated the prisoners confined in the gaol; and seized the judges and sheriff in their beds. Wagstaff, desirous to ex-

March 11.

* Thurloe, iii. passim. Whitelock, 618—620. Bates, 290. 291.

† Clarendon (Hist. iii. 552) assigns the 18th of April for the day of rising: but all the documents prove this to be an error.

cite terror in his opponents and confidence in the royalists, ordered all three to be instantly hanged; but the principal of his followers interceded so earnestly in their favour, that he gave them their liberty; and, having proclaimed the king in the market place, left Salisbury about two in the afternoon. He began already to despair of success. Scarcely a man had joined him of the crowd of gentlemen and yeomen whom the assizes had collected in the town; and the Hampshire royalists, about two hundred and fifty horse, had not arrived according to their promise. From Salisbury the insurgents marched through Dorsetshire into the county of Devon. Their hopes grew fainter every hour. The farther they proceeded, the more their number diminished; and, when they reached South Molton, disappointed of their expected aid, and exhausted with watching and fatigue, they listened to the exhortations of captain Crook, who followed them with a single troop of cavalry, and promised them their lives on condition that they should surrender without resistance. Wagstaff, with two more, distrusted his word, and made their escape: the others threw down their arms, and were reserved for trial.*

The Hampshire royalists had commenced their march for Salisbury, when, learning that Wagstaff had left that city, they immediately dispersed. Other risings at the same time took place in the counties of Montgomery, Shropshire, Nottingham, York, and Northumberland, but every where with similar results. The republicans, ardently as they desired to see the protector humbled in the dust, were unwilling that his ruin should be effected by a party whose ascendancy appeared to them a still more grievous evil. The insurgents were ashamed and alarmed at the paucity of their numbers; prudence taught them to disband before they proceeded to acts of hostility; and they slunk away in secrecy to their homes, that they might escape the proof, if not the suspicion, of guilt. Even Rochester himself, sanguine as he was by disposition, renounced the attempt, and, with his usual good fortune, was able to tread back his way, through a thousand dangers, from the centre of Yorkshire to the court of his exiled sovereign at Cologne.† March 14.

Whether it was through a feeling of shame, or apprehension of the consequences, Cromwell, even under the provocations which he had received, ven- Executions.

* Whitelock, 620. Thurloe, iii. 263. 295. 306. Heath, 367. Clarendon, iii. 551. 560. Ludlow, ii. 69.

† Whitelock, 618. 620. Heath, 360. Clarendon, iii. 560.

tured not to bring to trial any of the men who had formerly fought by his side, and now combined against him because he trampled on the liberties of the nation. With the royalists, it was otherwise. He knew that their sufferings would excite little commiseration in those whose favour he sought; and he was anxious to intimidate the more eager by the punishment of their captive associates. Though they had surrendered under articles, Penruddock and Grove were beheaded at Exeter; others suffered on the gallows in that city and in Salisbury; and the remainder were sent to be sold for slaves in Barbadoes.* To these executions succeeded certain measures of precaution. The protector forbade all ejected and sequestered clergymen of the church of England to teach as schoolmasters or tutors, or to preach or use the church service as ministers either in public or private; ordered all priests belonging to the church of Rome to quit the kingdom under pain of death; banished all cavaliers and catholics to the distance of twenty miles from the metropolis; prohibited the publication in print of any news or intelligence without permission from the secretary of state; and placed in confinement most of the nobility and principal gentry in England, till they could produce bail for their good behaviour and future appearance. In addition, an ordinance was published that, "all who had ever borne arms for the king, or declared themselves to be of the royal party, should be decimated, that is, pay a tenth part of all the estate which they had left, to support the charge which the commonwealth was put to by the inquietness of their temper, and the just cause of jealousy which they had administered." It is difficult to conceive a more iniquitous imposition. It was subversive of the act of oblivion formerly procured by Cromwell himself, which pretended to abolish the memory of all past offences; contrary to natural justice, because it involved the innocent and guilty in the same punishment; and productive of the most extensive extortions, because the commissioners included among the enemies of the commonwealth those who had remained neutral between the parties, or had not given satisfaction by the promptitude of their services or the amount of their contributions. To put the climax to these tyrannical proceedings, he divided the country into eleven, and, at one period, into fourteen military governments under so many officers, with the name and rank of major-generals,

May 16.

Decimation.

Military government.

* State Trials, v. 767—780.

giving them authority to raise a force within their respective jurisdictions, which should serve only on particular occasions; to levy the decimation and other public taxes; to suppress tumults and insurrections; to disarm all papists and cavaliers; to inquire into the conduct of ministers and schoolmasters; and to arrest, imprison, and bind over, all dangerous and suspected persons. Thus this long and sanguinary struggle, originally undertaken to recover the liberties of the country, terminated in the establishment of a military despotism. The institutions which had acted as restraints on the power of preceding sovereigns, were superseded or abolished; the legislative, as well as the executive authority, fell into the grasp of the same individual; and the best rights of the people were made to depend on the mere pleasure of an adventurer, who, under the mask of dissimulation, had seized, and, by the power of the sword, retained, the government of the three kingdoms.*

Cromwell breaks with Spain. 1654.

From domestic occurrences, we may now turn to those abroad. During the last year, the two armaments which had so long engaged the attention of the European nations, had sailed from the English ports. Their real, but secret, destination was to invade the American colonies, and surprise the Plate fleet of Spain, the most ancient and faithful ally of the commonwealth. To justify the measure, it was argued in the council that, since America was not named in the treaties of 1604 and 1630, hostilities in America would be no infraction of those treaties; that the Spaniards had committed depredations on the English commerce in the West Indies, and were, consequently, liable to reprisals; that they had gained possession of these countries by force against the will of the natives, and might, therefore, be justly dispossessed by force; and, lastly, that the conquest of these transatlantic territories would contribute to spread the light of the gospel among the Indians, and to cramp the resources of popery in Europe.† That

* Sagredo, who had lately arrived as ambassador extraordinary, thus describes the power of Cromwell. "Non fa caro del nome, gli basta possedere l'autorità e la potenza, senza comparazione majore non solo di quanti re siano stati in Inghilterra, ma di quanti monarchi stringono presentamente alcun scetro nel mondo. Smentite le leggi fondamentali del regno, egli è il solo legislatore: tutti i governi escono dalle sue mane, e quelli del consiglio, per entrarvi, devono essere nominati da sua altezza, nè possono divenir grandi, se non da lui inalzati. E perchè alcuno non abbia modo di guadagnar autorità sopra l'armata, tutti gli avanzamenti, senza passar per alcun mezzo, sono da lui direttamente conosciuti." Sagredo, MS.

† Thurloe, i. 760, 761; ii. 54. 154. 570. Ludlow, ii 51. 105. The article of the treaty of 1630, on which Cromwell rested his claim of a free trade to

such flimsy pretences should satisfy the judgment of the protector, is improbable; his mind was swayed by very different motives—the prospectof reaping, at a small cost, an abundant harvest of wealth and glory, and the opportunity of engaging in foreign service the officers of whose fidelity at home he had good reason to be jealous.

Jan. The Spanish cabinet, arguing from circumstances, began to suspect his object, and, as a last effort, sent the marquess of Leyda ambassador extraordinary to the court of London. He was graciously received, and treated with respect: but, in defiance of his most urgent solicitations, could not, during five months, obtain a positive answer to his proposals. He represented to the protector the services which Spain had rendered to the commonwealth; adverted to the conduct of De Baas, as a proof of the insidious designs of Mazarin; maintained that the late insurrection had been partially instigated by the intrigues of France; and that French troops had been collected on the coast to accompany Charles Stuart to England, if his friends had not been so quickly suppressed, and concluded by offering to besiege Calais, and, on its reduction, to cede it to Cromwell, provided he, on his part, would aid the prince of Condé in his design of forcing his way into Bordeaux by sea. At length, wearied with delays, and esteeming a longer residence in England a disgrace to his sovereign, he demanded passports, and was dismissed with many compliments by the protector.*

June 18.

Secret expedition to the Mediterranean. In the mean while, Blake, who commanded one of the expeditions, had sailed to the Straits of Gibraltar, where he received many civilities from the Spanish authorities. Thence he proceeded up the Mediterranean, capturing, under pretence of reprisals, the French vessels, whether merchantmen or men of war, and seeking, but in vain, the fleet under the duke of Guise. Returning to the south, he appeared before Algiers, and extorted from that government an illusory promise of respect to the English flag. From Algiers he proceeded to Tunis. To his demands, the Dey re-

1655. March 10.

the Indies, was the first, establishing peace between *all the subjects* of the two crowns, subditos quoscumque: that which, the Spaniards alleged, was the seventh, in which as the king of Spain would not consent to a free trade to America, it was confined to those countries in which such free trade had been exercised before the war between Elizabeth of England, and Philip of Spain—words which excluded America as effectually as if it had been named. See Dumont, iv. par. ii. p. 621.

* Thurloe, i. 761; ii. 54. 154. 679. Dumont v. par. ii. 106.

plied: "there are Goletta, Porto Ferino, and my fleet: let him destroy them if he can." Blake departed, returned unexpectedly to Porto Ferino, silenced the fire of the castle, entered the harbour, and burnt the whole flotilla of nine men of war. This exploit induced the Dey of Tripoli to purchase the forbearance of the English by an apparent submission; his Tunisian brother deemed it prudent to follow his example; and the chastisement of the pirates threw an additional lustre on the fame of the protector. There still remained, however, the great but concealed object of the expedition, the capture of the Plate fleet laden with the treasures of the Indies; but Blake was compelled to remain so long before Cadiz that the Spaniards discovered his design; and Philip, though he professed to think the protector incapable of so dishonorable a project, permitted the merchants to arm in defence of their property. More than thirty ships were manned with volunteers; they sailed from Cadiz under the command of Don Pablos de Contreras, and continued for some days in sight of the English fleet; but Pablos was careful to give no offence; and Blake, on the re-perusal of his instructions, did not conceive himself authorized to begin the attack. After a long and tedious cruize, he received intelligence that the galleons, his destined prey, were detained in the harbour of Carthagena, and returned to England with a discontented mind and shattered constitution. In regard to the principal object, the expedition had failed; but this had never been avowed; and the people were taught to rejoice at the laurels won in the destruction of the Tunisian fleet, and the lesson given to the piratical tribes on the northern coast of Africa.*

April 18.

Aug. 15.

The other expedition consisted of thirty sail and three thousand land forces, under the joint command of Penn, as admiral, and of Venables as general. They spent several weeks among the English settlements in the West Indies, and by the promise of plunder allured to their standards many of the planters and multitudes of the English, Scottish, and Irish royalists, who had been transported thither as prisoners of war. When they reached Hispaniola, Venables numbered ten thousand men under his command; and, had the fleet boldly entered the harbour of St. Domingo, it was believed that the town, un-

Another to the West Indies. Jan. 29.

* See in particular Blake's Letters in Thurloe, iii. 232. 390. 541. 611. 620. 728: iv. 19. He complains bitterly of the bad state of the ships, and of the privations suffered by the men, from the neglect of the commissioners of the navy. Also the protector's instructions to him. Thurloe, i. 724.

prepared for resistance, must have immediately submitted.
April 14. But the greater part of the army was landed at a point about forty miles distant: the expectations of the men were disappointed by a proclamation, declaring that the plunder was to be considered the public property of the commonwealth: the length of the march, the heat of the climate, and the scarcity of water added to the general discontent, and almost a fortnight elapsed before the invaders were
April 25. able to approach the defences of the place. Their march lay through a thick and lofty wood; and the advance suddenly found itself in front of a battery which enfiladed the road to a considerable distance. On the first discharge the men rushed back on a regiment of foot; that, partaking in the panic, on a squadron of horse: and, while the infantry and cavalry were thus wedged together in inextricable confusion, the Spanish marksmen kept up a most destructive fire from behind the trees lining the road. After a long effort, the wood was cleared by a body of seamen who served among the infantry, and darkness put an end to the action, in which not fewer than a thousand men had fallen. In the morning, the English retired to their last encampment, about ten miles from the town.

Which fails. Here Venables called a council of officers, who, having previously sought the Lord, determined to
April 28. "purge" the army. Some of the runaways were hanged: the officer who commanded the advance was broken, and sent on board the hospital ship to wait on the sick; the loose women who had followed the army, were apprehended and punished, and a solemn fast was proclaimed and observed. But no fasting, praying, or purging, could restore the spirits of men humbled by defeat, enfeebled by disease, and reduced to
May 3. the necessity of feeding on the horses belonging to the cavalry. The attempt was abandoned; but, on their return, the two commanders made a descent on the Isl-
May 10. and of Jamaica. The Spanish settlers, about five hundred, fled to the mountains: a capitulation followed; and the island was ceded to England. Could its flourishing condition in a subsequent period have been then foreseen, this conquest might have consoled the nation for the loss at Hispaniola, and the disgrace of the attempt. But at that time Jamaica was deemed an inconsiderable acquisition; the failure of the expedition encouraged men to condemn the grounds on which it had been undertaken; and Cromwell, mortified and ashamed, vented his displeasure on Penn and Venables,

the two commanders, whom, on their arrival, he committed to the Tower.* July.

To many it seemed a solecism in politics, that, when the protector determined to break with Spain, he did not attempt to sell his services to the great enemy of Spain, the king of France. For reasons which have never been explained, he took no advantage of this circumstance; instead of urging, he seemed anxious to retard, the conclusion of the treaty with that power; after each concession, he brought forward new and more provoking demands; and, as if he sought to prevail by intimidation, commissioned Blake to ruin the French commerce, and to attack the French fleet, in the Mediterranean. By Louis these insults were keenly felt; but his pride yielded to his interest; expedients were found to satisfy all the claims of the protector; and at length the time for the signature of the treaty was fixed, when an event occurred to furnish new pretexts for delay; that event, which by protestants has been called the massacre, by catholics, the rebellion, of the Vaudois.

Troubles in Piedmont.

About the middle of the thirteenth century the peculiar doctrines of the "poor men of Lyons" penetrated into the valleys of Piedmont, where they were cherished in obscurity till the time of the reformation, and were then exchanged, in a great measure, for the creed publicly taught at Geneva. The duke of Savoy by successive grants confirmed to the natives the free exercise of their religion, on condition that they should confine themselves within their ancient limits;† but complaints were made that several among the men of Angrogna had abused their privileges to form settlements and establish their worship in the plains; and the court of Turin, wearied with the conflicting statements of the opposite parties, referred the decision of

* Carte's Letters, ii. 46—52. Thurloe, iii. 504. 509. 689. 755; iv. 28. Bates 367. Penn and Venables, having resigned their commissions, were discharged. Council Book, 1655. Oct. 28. 31. It appears from the papers in Thurloe that Cromwell paid great attention to the prosperity of the West Indian colonies, as affording facilities to future attempts on the American continent. To increase the population he had, as the reader is already aware, forcibly taken up a thousand young girls in Ireland, and sent them to Jamaica: in 1656, while Sagredo was in London, he ordered all females of disorderly lives to be arrested and shipped for Barbadoes for the like purpose. Twelve hundred were sent in three ships. Ho veduto prima del mio partire pia squadre di soldati andar per Londra cercando donne di allegra vita, imbarcandone 1,200 sopra tre vascelli per tragittarle all' isola, a fine di far propagazione. Sagredo, MS.

† These were the four districts of Angrogna, Villaro, Bobbio, and Rorata. Siri, del Mercurio, overo Historia de' Correnti Tempi. Firenze, 1682. tom. xv. p. 627.

the dispute to the civilian Andrea Gastaldo. After
1655. June 19. a long and patient hearing, he pronounced a definitive judgment, that Lucerna and some other places lay without the original boundaries, and that the intruders should withdraw under the penalties of forfeiture and death. At the same time, however, permission was granted them to sell for their own profit the lands which they had planted; though by law these lands had become the property of the sovereign.*

Insurrection of the Vaudois. The Vaudois were a race of hardy, stubborn, half-civilized mountaineers, whose passions were readily kindled, and whose resolves were as violent as they were sudden. At first, they submitted sullenly to the judgment of Gastaldo, but sent deputies to Turin to remonstrate: in a few days a solemn fast was proclaimed; the ministers excommunicated every individual who should sell his lands in the disputed territory; the natives of the valleys under the dominion of the king of France met those of the valleys belonging to the duke of Savoy; both bound themselves by oath to stand by each other in their common defence; and messengers were despatched to solicit aid and advice from the church of Geneva and the protestant cantons of Switzerland. The intelligence alarmed the marquess Pianeze, the chief minister of the duke; who, to suppress the nascent confederacy, marched from Turin with an armed force, reduced La Torre into which the insurgents had thrown a garrison of six hundred men, and, having
April 7. made an offer of pardon to all who should submit, ordered his troops to fix their quarters in Bobbio, Villaro, and the lower part of Angrogna. It had previously been promised that they should be peaceably received; but the inhabitants had already retired to the mountains with their cattle and provisions; and the soldiers found no other accommodation than the bare walls. Quarrels soon followed between the parties; one act of offence was retaliated with another; and the desire of vengeance provoked a war of extermination. But the military were in general successful; and the natives found themselves compelled to flee to the summits of the loftiest mountains, or to seek refuge in the valleys of Dauphiné, among a people of similar habits and religion.†

* The decree of Gastaldo is in Morland, History of Evangelical Churches in the valleys of Piedmont, p. 303. The gounds of that decree are at p. 408, the objections to it at p. 423. See also Siri, xv. 827. 830.

† Siri, xv. 827—833. It would be a difficult task to determine by whom,

Accounts of these transactions, but accounts teeming with exaggeration and improbabilities, were transmitted to the different protestant states by the ministers at Geneva. They represented the duke of Savoy as a bigoted and intolerant prince; the Vaudois as an innocent race, whose only crime was their attachment to the reformed faith. They implored the protestant powers to assume the defence of their persecuted brethren, and called for pecuniary contributions to save from destruction by famine the remnant which had escaped the edge of the sword.* In England the cause was advocated by the press and from the pulpit: a solemn fast was kept, and the passions of the people were roused to enthusiasm. The ministers in a body waited on Cromwell to recommend the Vaudois to his protection; the armies in Scotland and Ireland presented addresses, expressive of their readiness to shed their blood in so sacred a cause; and all classes of men, from the highest to the lowest, hastened to contribute their money towards the support of the Piedmontese protestants. It was observed that, among those who laboured to inflame the prejudices of the people, none were more active than the two ambassadors from Spain, and Stouppe, the minister of the French church in London.† Both had long laboured to prevent the conclusion of the treaty with France; and they now hoped to effect their purpose, because Savoy was the ally of France, and the principal barbarities were said to

Cromwell seeks to protect them.

May.

after the reduction of La Torre, the first blood was wantonly drawn, or to which party the blame of superior cruelty belongs. The authorities on each side are interested and therefore suspicious; the provocations alleged by the one are as warmly denied by the other; and to the ravages of the military in Angrogna and Lucerna are opposed the massacres of the catholics in Perousa and San Martino. In favour of the Vaudois may be consulted Leger, Histoire Générale des Eglises Evangéliques, etc. (He was a principal instigator of these troubles.) Stouppe, Collection of the several papers sent to his highness, etc. London, 1655. Sabaudiensis in Reformatam Religionem Persecutionis Brevis Narratio, Londini, 1655. Morland, 326—384, and the papers in Thurloe, iii. 361. 84. 412. 16. 30. 44. 59. 538. Against them—A Short and Faithful Account of the Late Commotions, etc. with some Reflections on Mr. Stouppe's Collected Papers, 1655. Morland, 387—404. Siri, xv. 827—843, and Thurloe, iii. 413. 64. 75. 90. 502. 35, 36. 617. 26. 56.

* The infidelity of these reports is acknowledged by Morland, the protector's agent, in a confidential letter to secretary Thurloe. "The greatest difficulty I meet with is in relation to the matter of fact in the beginning of these troubles, and during the time of the war. For I find, upon diligent search, that many papers and books which have been put out in print on this subject, even by some ministers of the valleys, are lame in many particulars, and in many things not conformable to truth." Thurloe, iv. 417.

† Thurloe, iii. 470. 680. Siri, xv. 468.

have been perpetrated by troops detached from the French army.*

Sends an envoy to Turin.

These events opened a flattering prospect to the vanity of Cromwell. By his usurpation, he had forfeited all claim to the title of the champion of civil liberty; he might still come forward, in the sight of Europe, in the more august character of the protector of the reformed faith. His first care was to make, through Stouppe, a promise to the Vaudois of his support, and an offer to transplant them to Ireland, and to settle them on the lands of the Irish catholics; of which the first was accepted with expressions of gratitude, and the other respectfully declined.† He next solicited the king of France to join with him in mediating between the duke of Savoy and his subjects of the valleys; and received for answer, that Louis had already interposed his good offices, and had reason to expect a favourable result. Lastly, he sent Morland as ambassador to Turin, where he was honourably received, and entertained at the duke's expense. But to his memorial in favour of the Vaudois it was replied that the instrument on which he founded their defence was informal and without authority; and, when he offered the mediation of Cromwell, he was told that the particulars of the pacification had been wholly referred to Servien, the French ambassador.‡

June.

Refuses to conclude the treaty with France, May 24.

At home, Cromwell had signified his intention of postponing the signature of the treaty with France till he was acquainted with the opinion of Louis on the subject of the troubles in Piedmont. Bordeaux remonstrated against this new pretext for delay; he maintained that the question bore no relation to the matter of the treaty; that the king of France would never interfere with the internal administration of an independent state; that the duke of Savoy had as good a right to make laws for his protestant subjects as the English government for the catholics of the three kingdoms; and

* Under Pigneze were some troops detached from the French army commanded by prince Thomas of Savoy. It was reported that a regiment of Irish papists formed a part of this detachment; and to them were attributed, of course, the most horrible barbarities. Leger, iii. Stouppe, preface. Thurloe, iii. 412. 459, 460. On inquiry, it was discovered that the supposed Irishmen were English. "The Irish regiment said to be there was the earl of Bristol's regiment, a small and weak one, most of them being English. I hear not such complaints of them as you set forth." Thurloe, iii. 69.

† Thurloe, iii. 459.

‡ Ibid. 528. 608. 636. 656. 672. Siri, ibid.

that the Vaudois were in reality rebels, who had justly incurred the resentment of their sovereign. But Cromwell was not to be diverted from his purpose. It was in vain that the ambassador asked for a final answer; June 18. that he demanded an audience of leave preparatory June 21. to his departure. At last, he was relieved from his Aug. 20. perplexity by an order to announce that the duke, at the request of the king of France, had granted an amnesty to the Vaudois, and confirmed their ancient privileges: that the boon had been gratefully received by the insurgents; and that the natives of the valleys, protestants and catholics, had met, embraced each other with tears, and sworn to live in perpetual amity together. The unexpected intelligence was received by Cromwell with a coldness which betrayed his disappointment.* But, if the pacification broke the new projects which he meditated,† it served to raise his fame in the estimation of Europe; for it was evident that the Aug. 8. Vaudois owed the favourable conditions which they obtained, not so much to the good-will of Louis, as to his anxiety that no pretext should remain for the future interference of the protector.‡

The Vaudois submit.

But though tranquillity was restored in Piedmont, Cromwell was still unwilling to conclude the treaty till he had ascertained what impression had been made on the king of Spain by the late attempt on Hispaniola. To Philip, already engaged in war with France, it was painful to add so powerful an adversary to the number of his enemies; but the affront was so marked, so unjust, so unprovoked, that to submit to it in silence was to subscribe to his own degradation. Sep. 1. He complained, in dignified language, of the ingra-

And Cromwell signs the French treaty.

* Thurloe, iii. 469, 470. 475. 535. 568. 706. 724. 742. 745. Siri, xv. 843.

† The protestant cantons of Switzerland had sent colonel Mey to England, offering to raise an army in aid of the Vaudois, if Cromwell would furnish a subsidy of 10,000*l.* per month. (Siri, Mercurio, xv. 472.) In consequence, Downing was despatched as envoy to these cantons; but the pacification was already concluded, and, on this arrival at Geneva, he received orders, dated Aug. 30. to return immediately. (Thurloe, iii. 692. 4; iv. 31.) Still the design was not abandoned, but entrusted to Morland, who remained at Geneva, to distribute the money from England. What were his secret instructions may be seen, ibid. p 326.

‡ The conditions may be seen in Morland, 652. Dumont, vi. part ii. p. 114; and Leger. 216. The subscription for the Vaudois, of which 2000*l.* was given by the protector, amounted to 38,228*l.* 4*s.* 2*d.* Of this sum 25,828*l.* 8*s.* 9*d.* was sent at different times to the valleys; 463*l.* 17*s.* was charged for expenses; and about 500*l.* was found to be clipt or counterfeit money. Journals, 11. July 1559.

titude and injustice of the English government; contrasted with its conduct his own most scrupulous adhesion both to the letter and the spirit of the treaties between the kingdoms; ordered that all ships, merchandize, and property belonging to the subjects of the commonwealth should be seized and secured in every part of his dominions, and instructed his ambassador in London to remonstrate and take his leave.* The day after the passport was delivered to don Alonzo, Cromwell consented to the signature of the treaty with France. It provided, that the maritime hostilities, which had so long harassed the trade of the two nations, should cease; that the relations of amity and commerce should be restored; and, by a separate, and therefore called a secret, article, that Barriere, agent for the prince of Condé, and nine other Frenchmen, equally obnoxious to the French ministry, should be perpetually excluded from the territory of the commonwealth; and that Charles Stuart, his brother, the duke of York, Ormond, Hyde, and fifteen others adherents of the exiled prince, should, in the same manner, be excluded from the kingdom of France.† The protector had pursuaded himself that, if the house of Stuart was to be restored, it must be through the aid of France; and, he hoped, by the addition of this secret article, to create a bitter and lasting enmity between the two families. Nor was he content with this. As soon as the ratifications had been exchanged, he proposed a more intimate alliance between England and France. Bordeaux was instructed to confine himself in his reply to general expressions of friendship. He might receive any communications which were offered: he was to make no advances on the part of his sovereign.

Oct. 24.

* Thurloe, iv. 19, 20, 21. 82. 91.

† Dumont, vi. part ii. p. 121. In the body of the treaty, neither the king nor the protector are named: all the articles are stipulated between the Commonwealth of England and the kingdom of France. In the preamble, however, the king of France is mentioned, and in the first place, but not as if this arose from any claim of precedency; for it merely relates, that the most Christian king sent his ambassador to England, and the most serene lord, the protector, appointed commissioners to meet him. When the treaty was submitted to Bordeaux, previously to his signature, he discovered an alteration in the usual title of his sovereign, Rex Gallorum (the very title afterwards adopted by the national assembly), instead of Rex Galliarum, and on that account refused to sign it. After a long contestation he yielded to the arguments of the Dutch ambassador. Thurloe, iv. 115.

CHAP. IV.

THE PROTECTORATE.

POVERTY AND CHARACTER OF CHARLES STUART.—WAR WITH SPAIN.—PARLIAMENT.—EXCLUSION OF MEMBERS.—PUNISHMENT OF NAYLOR.—PROPOSAL TO MAKE CROMWELL KING.—HIS HESITATION AND REFUSAL.—NEW CONSTITUTION.—SYNDERCOMB.—SEXBY.—ALLIANCE WITH FRANCE.—PARLIAMENT OF TWO HOUSES.—OPPOSITION IN THE COMMONS.—DISSOLUTION.—REDUCTION OF DUNKIRK.—SICKNESS OF THE PROTECTOR.—HIS DEATH AND CHARACTER.

Poverty of Charles in his exile.

The reader is aware that the young king of Scots, after his escape from Worcester, had returned to Paris, defeated but not disgraced. The spirit and courage which he had displayed were taken as an earnest of future and more successful efforts; and the perilous adventures which he had encountered threw a romantic interest round the character of the royal exile. But in Paris he found himself without money or credit, followed by a crowd of faithful dependents, whose indigence condemned them to suffer the most painful privations. His mother Henrietta, herself in no very opulent circumstances, received him into her house and to her table: after the lapse of six months the French king settled on him a monthly allowance of six thousand francs;* and to this were added the casual supplies furnished by the loyalty of his adherents in England, and his share of the prizes made by the cruisers under his flag.† Yet, with all these aids, he was scarcely able to satisfy the more importunate of his creditors, and to dole out an occasional pittance to his more immediate followers. From their private correspondence it appears that the most favoured among them were at a loss to procure food and clothing.‡

* Clar. iii. 441. Thirteen francs were equivalent to an English pound.

† His claim was one-fifteenth, that of the duke of York, as admiral, one-tenth. See a collection of letters almost exclusively on that subject between Sir Edward Hyde and Sir Richard Browne. Evelyn's Mem. v. 241, et seq.

‡ Clarend. Pap. iii. 120. 124. "I do not know that any man is yet dead

His court. Yet, poor as he was, Charles had been advised to keep up the name and appearance of a court. He had his lordkeeper, his chancellor of the exchequer, his privy counsellors, and most of the officers allotted to a royal establishment: and the eagerness of pursuit, the competition of intrigue with which these nominal dignities were sought by the exiles, furnish scenes which cannot fail to excite the smile or the pity of an indifferent spectator. But we should remember that they were the only objects left open to the ambition of these men; that they offered scanty, yet desirable, salaries to their poverty; and that they held out the promise of more substantial benefits on the restoration of the king, an event which, however distant it might seem to the apprehension of others, was always near in the belief of the more ardent royalists.*

Among these competitors for place were two, who soon acquired, and long retained, the royal confidence, the marquess of Ormond and Sir Edward Hyde. Ormond owed the distinction to the lustre of his family, the princely fortune which he had lost in the royal cause, his long though unsuccessful services in Ireland, and the high estimation in which he had been held by the late monarch. In talent and application Hyde was superior to any of his colleagues. Charles I. had appointed him chancellor of the exchequer, and counsellor to the young prince; and the son afterwards confirmed by his own choice the judgment of his father. Hyde had many enemies; whether it was that by his hasty and imperious temper he gave cause of offence, or that unsuccessful suitors, aware of his influence with the king, attributed to his counsels the failure of their petitions. But he was not wanting in his own defence: the intrigues set on foot to remove him from the royal ear were defeated by his address; and the charges brought against him of disaffection and treachery were so victoriously refuted as to overwhelm the accuser with confusion and disgrace.†

for want of bread; which really I wonder at. I am sure the king owes for all he hath eaten since April; and I am not acquainted with one servant of his who hath a pistole in his pocket. Five or six of us eat together one meal a day for a pistole a week: but all of us owe, for God knows how many weeks, to the poor woman that feeds us." Claren. Papers, iii. 274. June 27. 1653 "I want shoes and shirts, and the marquess of Ormond is in no better condition. What help then can we give our friends?" Ibid. 229. Ap. 3. 1654. See also Carte's Letters, ii. 461.

* Clarend. Papers, iii. 63. 99. 106. 136. 162. 179. 187, et passim. Clarendon, History, iii. 434, 5. 453.

† Clarend. 111. 138. 510. 515—520. Lansdowne's Works, ii. 236—241, quoted by Harris, iv. 153. Clarend. Papers, iii. 84. 92. 138. 188. 200. 229.

The expectations, however, which Charles had raised by his conduct in England were soon disappointed. He seemed to lose sight of his three kingdoms amidst the gaieties of Paris. His pleasures and amusements engrossed his attention: it was with difficulty that he could be drawn to the consideration of business; and, if he promised to devote a few hours on each Friday to the writing of letters and the signature of dispatches, he often discovered sufficient reasons to free himself from the burthen.* But that which chiefly distressed his advisers was the number and publicity of his amours; and, in particular, the utter worthlessness of one woman, who by her arts had won his affection, and by her impudence exercised the control over his easy temper. This was Lucy Walters, or Barlow, the mother of a child, afterwards the celebrated duke of Monmouth, of whom Charles believed himself to be the father.† Ormond and Hyde laboured to dissolve this disgraceful connexion. They represented to the king the injury which it did to the royal cause in England, where the appearances at least of morality were so highly respected; and, after several temporary separations, they prevailed on Walters to accept an annuity of 400*l.*, and to repair with her child to her native country. But Cromwell sent her back to France, and she returned to Paris, where by her lewdness she forfeited the royal favour, and shortened her own life. Her son was taken from her by the lord Crofts, and placed under the care of the Oratoriens in Paris.‡

His amours.

1656. Jan. 21.

July 16.

But if Charles was incorrigible in the pursuit of pleasure, he proved a docile pupil on the subject of religion. On one hand, the catholics, on the other, the presbyterians, urged him by letters and messages to em-

His religion.

* Clarend. Pap. iii. 159. 170.

† She was previously the mistress of colonel Robert Sydney, and her son bore so great a resemblance to that officer, that the duke of York always looked upon Sydney as the father. Life of James, i. 491. James, in his instructions to his son, says, "All the knowing world, as well as myself, had many convincing reasons to think he was not the king's son, but Robert Sydney's." Macpherson's Papers, i. 77. Evelyn calls Barlow "a browne, beautiful, bold, but insipid creature." Diary. ii 11.

‡ James, i. 492. Clarendon's Own Life, 205. Clarendon Papers, iii. 189. Thurloe, v. 169. 178; vii. 325. Charles, in the time of his exile, had also children by Catherine Peg, and Elizabeth Killigrew. See Sandfort, 646, 647. In the account of Barlow's discharge from the Tower, by Whitelock, we are told that she called herself the wife of Charles (Whitelock, 649): in the Mercurius Politicus, she is styled "his wife or mistress." Ellis, new series, iii. 352.

brace their respective modes of worship. The former maintained that he could recover the crown only through the aid of the catholic sovereigns, and had no reason to expect such aid, while he professed himself a member of that church which had so long persecuted the English catholics. The others represented themselves as holding the destiny of the king in their hands: they were royalists at heart, but how could they declare in favour of a prince who had apostatized from the covenant which he had taken in Scotland, and whose restoration would probably re-establish the tyranny of the bishops.* The king's advisers repelled these attempts with warmth and indignation. They observed to him that, to become a catholic was to arm all his protestant subjects against him; to become a presbyterian, was to alienate all who had been faithful to his father, both protestants of the church of England and catholics. He faithfully followed their advice; to both parties he promised, indeed, every indulgence in point of religion which they could reasonably desire; but avowed, at the same time, his determination to live and die a member of that church in defence of which his father had fought and suffered. It is not, however, improbable that these applications, with the arguments by which they were supported, had a baneful influence on the mind of the king. They created in him an indifference to religious truth, a persuasion that men always model their belief according to their interest.†

He offers himself an ally to Spain.

As soon as cardinal Mazarin began to negotiate with the protector, the friends of Charles persuaded him to quit the French territory. By the French minister the proposal was gratefully received: he promised the royal fugitive the continuation of his pension; ordered the arrears to be immediately discharged, and paid him for the next half year in advance.‡ Charles fixed his residence at Cologne, where he remained for almost two years, till the rupture between England and Spain called him again into activity.§ After some

1656. March 12.

* Both these parties were equally desirous of having the young duke of Gloucester of their religion. Clar. Pap. iii. 153. 155. The queen mother placed him under the care of Montague, her almoner, at Pontoise; but Charles sent Ormond, who brought him away to Cologne. Clar. Hist. iii. 545. Papers, iii. 256—260. Evelyn, v. 205. 208.

† Clarend. Papers, iii. 163, 164. 256. 281. 298. 316. Hist. iii. 443.

‡ 7200 pistoles for twelvemonth's arrears, and 3,600 for six in advance. Clar. Pap. iii. 293.

§ While Charles was at Cologne, he was surrounded by spies, who supplied Cromwell with copious information, though it is probable that they knew little more than the public reports in the town. On one occasion the

previous negotiation, he repaired to the neighbourhood of Brussels, and offered himself as a valuable ally to the Spanish monarch. He had it in his power to call the English and Irish regiments in the French service to his own standard; he possessed numerous adherents in the English navy; and, with the aid of money and ships, he should be able to contend once more for the crown of his fathers, and to meet the usurper on equal terms on English ground. By the Spanish ministers the proposal was entertained, but with their accustomed slowness. They had to consult the cabinet at Madrid: they were unwilling to commit themselves so far as to cut off all hope of reconciliation with the protector; and they had already accepted the offers of another enemy to Cromwell, whose aid, in the opinion of Don Alonzo, the late ambassador, was preferable to that of the exiled king.*

Account of colonel Sexby.

This enemy was colonel Sexby. He had risen from the ranks to the office of adjutant-general in the parliamentary army; his contempt of danger and enthusiasm for liberty had recommended him to the notice of Cromwell; and the adjutant was occasionally honoured with a place in the councils, and a share in the bed, of the lord-general. But Sexby had attached himself to the cause, not to the man; and his admiration, as soon as Cromwell apostatized from his former principles, was converted into the most deadly hatred. On the expulsion of the long parliament, he joined Wildman and the levellers: Wildman was apprehended; but Sexby eluded the vigilance of the pursuivants, and traversed the country in disguise, every where distributing pamphlets, and raising up enemies to the protector. In the month of May, 1655, he repaired to the court at Brussels. To the archduke and the count of Fuensaldagna, he revealed the real object of the secret expedition under Venables and Penn; and offered the aid of the English levellers for the destruction of a man, the common enemy of the liberties of his country,

1655. June.

letters were opened at the post office, and a despatch was found from a person named Manning to Thurloe. Being questioned before Charles, Manning confessed that he received an ample maintenance from the protector, but defended himself on the ground, that he was careful to communicate nothing but what was false. That his plea was true, appeared from his despatch, which was filled with a detailed account of a fictitious debate in the council: but the falsehoods which he had sent to England had occasioned the arrest and imprisonment of several royalists, and Manning was shot as a traitor at Duynwald, in the territory of the duke of Neuburg. Clar. iii. 563—9. Whitelock, 633. Thurloe, iv. 293.

* Clar. Pap. iii. 275. 279. 286.

and of the rights of Spain. They were a numerous and determined band of patriots; they asked no other aid than money and the co-operation of the English and Irish troops in the Spanish service; and they were ready, for security, to deliver a strong maritime fortress into the hands of their allies. Fuensaldagna hesitated to give a positive answer before an actual rupture had taken place; and at his recommendation Sexby proceeded to Madrid. He was received with coldness; but the news from Hispaniola established his credit: he was thanked for his information; obtained the sum of 40,000 crowns for the use of his party, and an assurance that, as soon as they were in possession of the port which he had named, 6000 men should sail from Flanders to their assistance. Sexby returned to Antwerp; transmitted several large sums to his adherents; and, though Cromwell, at length, obtained information of the intrigue, though the last remittance of 800*l.* had been seized, the intrepid leveller crossed over to England, made his arrangements with his associates, and returned in safety to the continent.*

1655. Jan. June. Aug.

July 27. Dec. 14.

It now became the object of the Spanish ministers, who had, at last, accepted the offer of Charles, to effect an union between him and Sexby, that, by the co-operation of the levellers with the royalists, the common enemy might more easily be subdued. Sexby declared that he had no objection to a limited monarchy, provided it were settled by a free parliament. He believed that his friends would have none; but he advised that, at the commencement of the attempt, the royalists should make no mention of the king, but put forth as their object the destruction of the usurper and the restoration of public liberty. Charles, on the other hand, was willing to make use of the services of Sexby; but he did not believe that his means were equal to his professions; and he saw reason to infer, from the advice which he had given, that his associates were enemies to royalty.†

Quarrel between the king and his brother.

The negotiation between the king and the Spanish ministers began to alarm both Cromwell and Mazarin. The cardinal anticipated the defection of the British and Irish regiments in the French service: the protector foresaw that they would probably be employed in a descent upon England. It was resolved to place the duke of York in opposition to his bro-

* Clarend. Pap. iii. 271, 2. 4. 7. 291. 5. Thurloe, iv. 698; v. 37. 100. 319. 349; vi. 829—33. Carte's Letters, ii. 85. 103.

† Clar. Pap. iii. 303, 311, 2. 5—7.

ther. That young prince had served with his regiment during four campaigns, under the marshal Turenne: his pay as colonel, and his pension of 6000 pistoles, amply provided for his wants; and his bravery in the field had gained him the esteem of the general, and rendered him the idol of his countrymen. Instead of banishing him, according to the secret article, from France, Mazarin, with the concurrence of Cromwell, offered him the appointment of captain-general in the army of Italy. By James it was accepted with gratitude and enthusiasm; but Charles commanded him to resign the office, and to repair immediately to Bruges. Sep. 1. He obeyed: his departure was followed by the resignation of most of the British and Irish officers in the French army; and, in many instances, the men followed the example of their officers. Defeated in this instance, Cromwell and Mazarin had recourse to another intrigue, of which the secret springs are concealed from our sight. It was insinuated by some pretended friend to Don Juan, the new governor of the Netherlands, that little reliance was to be placed on James, who was sincerely attached to France, and governed by sir John Berkeley, the secret agent of the French court, and the known enemy of the chancellor and his party. In consequence, the real command of the royal forces was given to Marsin, a foreigner; an oath of fidelity to Spain was, with the consent of Charles, exacted from the officers and soldiers; and in a few days James was first requested, and then commanded by his brother to dismiss Berkeley. The young prince did not refuse; but he immediately followed Berkeley into Holland, with the intention of passing through Germany into France. His departure was hailed with joy by Cromwell, who wrote a congratulatory letter to Mazarin on the success of this intrigue: it was a subject of dismay to Charles, who by messengers entreated and commanded James to return. At Breda, the prince appeared to hesitate. He soon after retraced his steps to Bruges, on a promise that the past should be forgotten; Berkeley followed; and the triumph of the fugitives was completed by the elevation of the obnoxious favourite to the peerage.*

Dec. 5. Dec. 13. Dec. 16. 1657. Jan. 13.

* Of the flight of James, Clarendon makes no mention in his history. He even seeks to persuade his reader that the duke was compelled to leave France in consequence of the secret article (iii. 610. 614. Papers, iii. Supplement, lxxix.,) though it is plain from the Memoirs of James, that he left unwillingly in obedience to the absolute command of his brother. (James, i. 270.) Clarendon makes the enmity between himself and Berkely arise

Capture of a Spanish fleet.

We may now return to England, where the Spanish war had excited general discontent. By the friends of the commonwealth Spain was considered as their most ancient and faithful ally: the merchants complained that the trade with that country, one of the most lucrative branches of British commerce, was taken out of their hands and given to their rivals in Holland; and the saints believed that the failure of the expedition to Hispaniola was a sufficient proof that heaven condemned this breach of the amity between the two states. It was to little purpose that Cromwell, to vindicate his conduct, published a manifesto, in which, having enumerated many real or pretended injuries and barbarities inflicted on Englishmen by the Spaniards in the West Indies, he contended that the war was just, and honourable, and necessary. His enemies, royalists, levellers, anabaptists, and republicans, of every description, March 2. did not suffer the clamour against him to subside; and, to his surprise, a request was made by some of the captains of another fleet collected at Portsmouth, to be informed of the object of the expedition. If it were destined against Spain, their consciences would compel them to decline the service. Spain was not the offending party; for the instances of aggression enumerated in the manifesto were well known to have been no more than acts of self-defence against March 5. the depredations and encroachments of English adventurers.* To suppress this dangerous spirit, Desborough hastened to Portsmouth: some of the officers resigned their commissions, others were superseded, and the fleet at length sailed under the joint command of Blake and Mon- March 15. tague, of whom the latter possessed the protector's confidence, and was probably employed as a spy on the conduct of his colleague. Their destination in the first place was Cadiz, to destroy the shipping in the habour, and April 20. to make an attempt on that city or the rock of Gibraltar. On their arrival, they called a council of

from his opposition to Berkeley's claim to the mastership of the court of wards (Hist. 440. Papers, ibid.;) James, from Clarendon's advice to lady Morton to reject Berkeley's proposal of marriage. (James, i. 273.) That the removal of Berkeley originated with Mazarin, and was required by Fensaldagna, who employed lord Bristol and Bennet for that purpose, appears from Cromwell's letter to the cardinal (Thurloe, v. 736.) Bristol's letter to the king, (Clar. Papers. iii. 318.) and Clarendon's account of Berkeley. Ibid. Supplement, lxxix. See also ibid. 317—324; and the Memoirs of James, i. 266—293.

* Thurloe, iv. 571. See also 582. 589. 594. Carte's Letters, ii. 87. 90. 92. 95.

war; but no pilot could be found hardy or confident enough to guide the fleet through the winding channel of the Caraccas; and the defences of both Cadiz and Gibraltar presented too formidable an aspect to allow a hope of success without the co-operation of a military force.* Abandoning the attempt, the two admirals proceeded to Lisbon, and extorted from the king of Portugal the ratification of the treaty formerly concluded by his ambassador, with the payment of the stipulated sum of 50,000*l.* Thence they returned to Cadiz, passed the straits, insulted the Spaniards in Malaga, the Moors in Sallee, and after a fruitless cruize of more than two months, anchored a second time in the Tagus.† It fortuned, that just after their arrival captain Stayner, with a squadron of frigates, fell in with a Spanish fleet of eight sail from America. Of these he destroyed four, and captured two, one of which was laden with treasure. Montague, who came home with the prize, valued it in his dispatch at 200,000*l.*: the public prints raised the amount to two millions; and the friends of Cromwell hailed the event "as a renewed testimony of God's presence, and some witness of his acceptance of the engagement against Spain."‡

May 29. June 10. July 10. Sep. 10.

The equipment of this fleet had exhausted the treasury, and the protector dared not impose additional taxes on the country at a time when his right to levy the ordinary revenue was disputed in the courts of law. On the ground that the parliamentary grants were expired, sir Peter Wentworth had refused to pay the assessment in the country, and Coney, a merchant, the duties on imports in London. The commissioners imposed fines, and distrained; the aggrieved brought actions against the collectors. Cromwell, indeed, was able to suppress these proceedings by imprisoning the counsel and intimidating their clients; but the example was dangerous; the want of money daily increased, and, by the advice of the council, he consented to call a parliament to meet on the 17th of September.§

* Thurloe, v. 67. 133.

† Thurloe, i. 726—730; v 68. 213. 257. 286.

‡ Thurloe, i. 399. 433. 509. 574. Carte's Letters, ii. 114. It appears from a letter of colonel White, that the silver in pigs weighed something more than forty thousand pounds, to which were to be added some chests of wrought plate. Thurloe, 572. Thurloe himself says all was plundered to about 250 or 300,000 pounds sterling in the two prizes, 557.

§ Carte's Letters, iii 96. 103. 109. Ludlow, ii. 80—82. Clar Hist iii. 649. See also A Narrative of the Proceedings in the Case of Mr. G. Coney, by Samuel Selwood, gent. 1655. The Jews had offered Cromwell a consi-

Parliament. Exclusion of members.

The result of the elections revealed to him the alarming secret, that the antipathy to his government was more deeply rooted, and more widely spread, than he had previously imagined. In Scotland and Ireland, indeed, the electors obsequiously chose the members recommended by the council; but these were conquered countries bending under the yoke of military despotism. In England, the whole nation was in a ferment; pamphlets were clandestinely circulated, calling on the electors to make a last struggle in defence of their liberties; and, though Vane, Ludlow, and Rich were taken into custody;* though other republican leaders were excluded by criminal prosecutions; though the cavaliers, the catholics, all who had neglected to aid the cause of the parliament, were disqualified from voting by "the instrument;" though a military force was employed in London to overawe the proceedings, and the whole influence of the government and of the army was openly exerted in the country, yet in several counties the court candidates were wholly, and in most partially, rejected. But Cromwell was aware of the error which he had committed in the last parliament. He resolved that none of his avowed opponents should be allowed to take possession of their seats. The returns were laid before the council; the major-generals received orders to inquire into the political and religious characters of the members; the reports of these officers were carefully examined; and a list was made of nearly one hundred persons to be excluded under the pretext of immorality or delinquency.†

Speech of the protector. Sep. 17.

On the appointed day, the protector, after divine service, addressed the new "representatives" in the painted chamber. His real object was to procure money; and with this view he sought to excite their alarm, and to interest their religious antipathies. He enumerated the enemies of the nation. The first was the Spaniard, the natural adversary of England, because he was the slave of the pope, a child of darkness, and consequently

derable sum for permission to settle and trade in England. Commissioners were appointed to confer with their agent Manasseh Ben Israel, and a council of divines was consulted respecting the lawfulness of the project. The opposition of the merchants and theologians induced him to pause; but Mr. Ellis has shown that he afterwards took them silently under his protection. Council Book, 14th Nov. 1655. Thurloe, iv. 321. 88. Bates, 371. Ellis, iv. 2.

* The proceedings on these occasions may be seen in Ludlow, ii. 115–123; and State Trials, v. 781.

† Thurloe, v. 269. 317. 328, 9. 337. 341. 3. 9. 424.

hostile to the light, blinded by superstition and anxious to put down the things of God; one with whom it was impossible to be at peace, and to whom, in relation to this country, might be applied the words of scripture, "I will put enmity between thy seed and her seed." There was also Charles Stuart, who, with the aid of the Spaniard and the duke of Newburg, had raised a formidable army for the invasion of the island. There were the papists and cavaliers, who had already risen, and were again ready to rise in favour of Charles Stuart. There were the levellers, who had sent an agent to the court of Madrid, and the fifth-monarchy men, who sought an union with the levellers against him, "a reconciliation between Herod and Pilate that Christ might be put to death." The remedies—though in this part of his speech he digressed so frequently as to appear loth to come to the remedies, were to prosecute the war abroad, and strengthen the hands of the government at home; to lose no time in questions of inferior moment, or less urgent necessity, but to inquire into the state of the revenue, and to raise ample supplies. In conclusion, he explained the eighty-fifth psalm, exclaiming, "If pope, and Spaniard, and devil, and all set themselves against us, though they should compass us about like bees, yet in the name of the Lord we shall destroy them. The Lord of Hosts is with us, the God of Jacob is our refuge."*

Debate on exclusion.

From the painted chamber, the members proceeded to the house. A military guard was stationed at the door, and a certificate from the council was required from each individual previously to his admission.† The excluded members complained by letter of this breach of parliamentary privilege; a strong feeling of disapprobation was manifested in several parts of the house; the clerk of the commonwealth in chancery received orders to lay all the returns on the table; and the council was requested to state the grounds of this novel and partial proceeding. Fiennes, one of the commissioners of the great seal, replied, that the duty of inquiry into the qualifications of the members was, by the "instrument," vested in the lords

* Introduction to Burton's Diary. cxlviii—clxxix. Journals, Sep. 17. Thurloe, v. 427. That the king's army, which Cromwell exaggerated to the amount of eight thousand men, did not reach to more than one thousand, is twice asserted by Thurloe himself, 605. 672.

† The certificates, which had been distributed to the favoured members, were in this form: "Sep. 17. 1656. County of ——. These are to certify that A. B. is returned by indenture one of the knights to serve in this parliament for the said county, and is approved by his highness's council. Nath. Taylor, clerk of the commonwealth in chancery."

of the council, who had discharged that trust according to the best of their judgment. An animated debate followed: that such was the provision in "the instrument" could not be denied;* but that the council should decide on secret information, and without the knowledge of the individuals who were interested, seemed contrary to the first principles of justice. The court, however, could now command the votes of the majority, and a motion that the house should pass to the business of the nation was carried by dint of numbers. Several members, to show their disapprobation, voluntarily seceded, and those who had been excluded by force published in bold and indignant language an appeal to the justice of the people.†

Sep. 22.

Having weeded out his enemies, Cromwell had no reason to fear opposition to his pleasure. The house passed a resolution declaratory of the justice and policy of the war against Spain, and two acts, by one of which were annulled all claims of Charles Stuart and his family to the crown; by the other were provided additional safeguards for the person of the chief governor. With the same unanimity a supply of 400,000*l.* was voted; but when the means of raising the money came under consideration, a great diversity of opinion prevailed. Some proposed to inquire into the conduct of the treasury; some to adopt improvements in the collection of the revenue; others recommended an augmentation of the excise; and others a more economical system of expenditure. In the discussion of these questions and of private bills, week after week, and month after month, were tediously and fruitlessly consumed; though the time limited by the instrument was passed, still the money bill had made no progress; and, to add to the impatience of Cromwell, a new subject was accidentally introduced, which, as it strongly interested the passions, absorbed for some time the attention, of the house.‡

* In the draught of the "instrument," as it was amended in the last parliament, the jurisdiction of the council in this matter was confined to the charge of delinquency, and its decision was not final, but subject to the approbation of the house. Journals, 1654, Nov. 29. But that draught had not received the protector's assent.

† The nature of the charges against the members may be seen in Thurloe, v. 371. 383. In the Journals, seventy-nine names only are mentioned (Journals, 1656, Sep. 19), but ninety-eight are affixed to the appeal in Whitelock, 651—3. In both lists occur the names of Anthony Ashley Cooper, who afterwards became Cromwell's intimate adviser, and of several others who solicited and obtained certificates.

‡ Journals, passim. Thurloe, v. 472. 94. 524. 84. 672. 94. See note (C).

Society of friends.

At the age of nineteen, George Fox, the son of a weaver at Drayton, with a mind open to religious impressions, had accompanied some of his friends to a neighbouring fair. The noise, the revelry, and the dissipation which he witnessed, led him to thoughts of seriousness and self-reproach, and the enthusiast heard, or persuaded himself that he heard, an inward voice calling on him to forsake his parents' house, and to make himself a stranger in his own country. Docile to the celestial admonition, he began to lead a solitary life, wandering from place to place, and clothed from head to foot in garments of leather. He read the scriptures attentively; studied the mysterious visions in the Apocalypse; and was instructed in the real meaning by Christ and the spirit. At first, doubts and fears haunted his mind; but, when the time of trial was past, he found himself inebriated with spiritual delights, and received an assurance that his name was written in the Lamb's Book of Life. At the same time, he was forbidden by the Lord to employ the plural pronoun *you* in addressing a single person; to bid his neighbour good even or morrow; or to uncover the head, or scrape with the leg to any mortal being. At length, the Spirit moved him to impart to others the heavenly doctrines which he had learned. In 1647, he preached for the first time at Duckenfield, near Manchester; but the most fruitful scene of his labour was at Swarthmoor, near Ulverston. His disciples followed his example: the word of the Spirit was given to women as well as men; and the preachers of both sexes, as well as many of their followers, attracted the notice and the censures of the civil magistrate. Their refusal to uncover before the bench was usually punished with a fine, on the ground of contempt; their religious objection to take an oath, or to pay tithes, exposed them to protracted periods of imprisonment, and they were often and severely whipped as vagrants, because, for the purpose of preaching, they were accustomed to wander through the country. To these sufferings, as is always the case with persecuted sects, calumny was added; and they were falsely charged with denying the Trinity, with disowning the authority of government, and with attempting to debauch the fidelity of the soldiers. Still, in defiance of punishment and calumny, the quakers, so they were called, persevered in their profession; it was their duty, they maintained, to obey the impulse of the Holy Spirit: and they submitted with the most edifying resignation to the consequences, however painful they might be to flesh and blood.*

* Fox, Journals, i. 29. et seq. Sewel, i. 24. 31. 34t passim.

Offence and punishment of Naylor.

Of the severities so wantonly exercised against these religionists it is difficult to speak with temper; yet it must be confessed that their doctrine of spiritual impulses was likely to lead its disciples of either sex, whose minds were weak and imaginations active, to extravagances at the same time ludicrous and revolting.* Of this, James Naylor furnished a striking instance. He had served in the army, and been quarter-master in Lambert's troop, from which office he was discharged on account of sickness.† He afterwards became a disciple of George Fox, and a leading preacher in the capital; but he "despised the power of God" in his master by whom he was reprimanded, and listened to the delusive flattery of some among his female hearers, who were so captivated with his manner and appearance, as to persuade themselves that Christ was incorporated in the new apostle. It was not for him to gainsay what the Spirit had revealed to them. He believed himself to be set as a sign of the coming of Christ; and he accepted the worship which was paid to him, not as offered to James Naylor, but to Christ dwelling in James Naylor. Under this impression, during part of his progress to Bristol,

Oct.

and at his entrance into that city, he rode on horseback with a man walking bareheaded before him, two females holding his bridle on each side, and others attending him, one of whom, Dorcas Erbury, maintained that he had raised her to life after she had been dead the space of two days. These occasionally threw scarves and handkerchiefs before him, and sang, "holy, holy, holy, is the Lord God of Hosts: Hosanna in the highest; holy, holy, holy is the Lord God of Israel." They were apprehended by the

Dec. 6.

mayor, and sent to London to be examined by a committee of the parliament. The house, having heard the report of the committee, voted that Naylor was

* "William Simpson was moved of the Lord to go at several times, for three years, naked and barefoot before them, as a sign unto them in markets, courts, towns, cities, to priests' houses, and to great men's houses; so shall they all be stripped naked as he was stripped naked. And sometimes he was moved to put on hair sackcloth, and to besmear his face, and to tell them, so would the Lord besmear all their religion, as he was besmeared. Great sufferings did that poor man undergo, sore whipping with horsewhips and coachwhips on his bare body, grievous stonings and imprisonments in three years time before the king came in, that they might have taken warning, but they would not." Fox, Journal, i. 572.

† Lambert spoke of him with kindness during the debate: "He was two years my quarter-master, and a very useful person. We parted with him with very great regret. He was a man of very unblameable life and conversation." Barton's Diary, i. 33.

guilty of blasphemy: the next consideration was his punishment: the more zealous moved that he should be put to death; but, after a debate which continued during eleven days, the motion was lost by a division of ninety-six to eighty-two. Yet the punishment to which he was doomed was cruel enough to satisfy the most bigoted of of his adversaries. He stood with his neck in the pillory for two hours, and was whipped from Palace-yard to the Old Exchange, receiving three hundred and ten lashes in the way. Some days later he was again placed in the pillory; the letter B for blasphemer was burnt on his forehead, and his tongue was bored with a red-hot iron.* From London the house ordered him to be conducted to Bristol, the place of his offence. He entered at Lamford's-gate, riding on the bare back of a horse with his face to the tail; dismounted at Rockley-gate, and was successively whipped in five parts of the city. His admirers, however, were not ashamed of the martyr. On every occasion they attended him bareheaded; they kissed and sucked his wounds; and they chanted with him passages from the Scriptures. On his return to London, he was committed to solitary confinement without pen, ink, or paper, or fire, or candle, and with no other sustenance than what he might earn by his own industry. Here the delusion under which he laboured, gradually wore away: he acknowledged that his mind had been in darkness, the consequence and punishment of spiritual pride; and declared that, in as much as he had given advantage to the evil spirit, he took shame to himself. By "the rump parliament," he was afterwards discharged; and the society of friends, by whom he had been disowned, admitted him again on proof of his repentance. But his sufferings had injured his health. In 1660 he was found in a dying state in a field in Huntingdonshire, and shortly afterwards expired.†

Dec. 16. Dec. 18. Dec. 27. 1657. Jan. 13. Jan. 17. Feb. 22.

While the parliament thus spent its time in the prosecution of an offence which concerned it not, Cromwell anxiously revolved in his own mind a se- Cromwell aspires to

* "This day I and B. went to see Naylor's tongue bored through, and him marked on the forehead. He put out his tongue very willingly, but shrinked a little when the iron came upon his forehead. He was pale when he came out of the pillory, but high-coloured after tongue-boring. He behaved himself very handsomely and patiently." P. 266 in Burton's Diary, where the report of these debates on Naylor occupies almost 140 pages.

† Journals, Dec. 5—17. 659, Sep. 8. State Trials, v. 801—842. Merc. Polit. No. 34. Sewel, 263—273. 693.

the title of king.

cret project of the first importance to himself and the country. To his ambition, it was not sufficient that he actually possessed the supreme authority, and exercised it with more despotic sway than any of his legitimate predecessors: he still sought to mount a step higher; to encircle his brows with a diadem, and to be addressed with the title of majesty. It could not be, that vanity alone induced him to hazard the attachment of his friends for the sake of mere parade and empty sound. He had rendered the more modest title of protector as great and as formidable as that of king; and, though uncrowned, had treated on a footing of equality with the proudest of the crowned heads in Europe. It is more probable that he was led by considerations of interest. He knew that the nation was weary of change; he saw with what partiality men continued to cling to the old institutions; and he, perhaps, trusted that the establishment of an hereditary monarchy, with a house of peers, though under a new dynasty, and with various modifications, might secure the possession of the crown, not only to himself, but also to his posterity. However that may be, he now made the acquisition of the kingly dignity the object of his policy: for this purpose he consulted first with Thurloe, and afterwards with St. John and Pierpoint;* and the manner in which he laboured to gratify his ambition strikingly displays that deep dissimulation and habitual hypocrisy, which form the distinguishing traits of his character.

Dec. 9.

He complains of the judgment against Naylor.

The first opportunity of preparing the public mind for this important alteration was furnished by the recent proceedings against Naylor, which had provoked considerable discontent, not on account of the severity of the punishment (for rigid notions of religion had subdued the common feelings of humanity), but on account of the judicial authority exercised by the house—an authority which appeared subversive of the national liberties. For of what use was the right of trial, if the parliament could set aside the ordinary courts of law at its pleasure, and inflict arbitrary punishment for any supposed offence without the usual forms of inquiry? As long as the question was before the house, Cromwell remained silent; but when the first part of the judgment had been executed on the unfortunate sufferer, he came forward in quality of guardian of the public rights, and concluded a letter to the speak-

* Thurloe, v. 694, vi. 20. 37.

er with these words: "We, being intrusted in the present government on behalf of the people of these nations, and not knowing how far such proceedings (wholly without us) may extend in the consequences of it, do desire that the house will let us know the ground and reason whereupon they have proceeded." This message struck the members with amazement. Few among them were willing to acknowledge that they had exceeded their real authority; all dreaded to enter into a contest with the protector. The discussion lasted three days; every expedient that had been suggested was ultimately rejected; and the debate was adjourned to a future day, when, with the secret connivance of Cromwell, no motion was made to resume it.* He had already obtained his object. The thoughts of men had been directed to the defects of the existing constitution, and to the necessity of establishing checks on the authority of the house similar to those which existed under the ancient government.

Dec. 25. Dec. 26. 1657. Jan. 2.

In a few days a bill was introduced which, under the pretence of providing money for the support of the militia, sought to confirm the past proceedings of the major-generals, and to invest them with legal authority for the future. The protector was aware that the country longed to be emancipated from the control of these military governors; for the attainment of his great object it was his interest to stand well with all classes of people; and, therefore, though he was the author of this unpopular institution; though in his speech at the opening of the parliament he had been eloquent in its praise; though he had declared that, after his experience of its utility, "if the thing were undone, he would do it again;" he now not only abandoned the major-generals to their fate, he even instructed his dependents in the house to lead the opposition against them. As soon as the bill was read a first time, his son-in-law, Cleypole, who seldom spoke, rose to express his dissent, and was followed by the lord Broghill, known as the confidential counsellor of the protector. The decimation tax was denounced as unjust, because it was a violation of the act of oblivion, and the conduct of the major-generals was compared to the tyranny of the Turkish bashaws. These officers defended themselves with spirit, their adversaries had recourse to personal crimination,† and the debate, by successive adjournments,

Abandons the cause of the major-generals. Jan. 7.

* Burton's Diary, i. 246—258. 260—4. 270—282. 296.

† Among others, Harry Cromwell, the protector's nephew, said he was

occupied the attention of the house during eleven days. In conclusion, the bill was rejected by a numerous majority; and the major-generals, by the desertion of Cromwell, found themselves exposed to actions at law for the exercise of those powers which they had accepted in obedience to his command.*

Feb. 9.

First mention of the intended change.

While this question was still pending, it chanced that a plot against the protector's life, of which the particulars will subsequently be noticed, was discovered and defeated. The circumstance furnished an opportunity favourable to his views; and the re-establishment of "kingship" was mentioned in the house, not as a project originating from him, but as the accidental and spontaneous suggestion of others. Goffe having expressed a hope that parliament would provide for the preservation of the protector's person, Ashe, the member for Somersetshire, exclaimed: "I would add something more—that he would be pleased to take upon him the government according to the ancient constitution. That would put an end to these plots, and fix our liberties and his safety on an old and sure foundation." The house was taken by surprise: many reprehended the temerity of the speaker; by many his suggestion was applauded and approved. He had thrown it out to try the temper of his colleagues: and the conversation which it provoked, served to point out to Cromwell the individuals from whom he might expect to meet with opposition.†

Jan. 19.

It is openly brought forward.

The detection of the conspiracy was followed by an address of congratulation to the protector, who on his part gave to the members a princely entertainment at Whitehall. At their next meeting the question was regularly brought before them by alderman Pack, who boldly undertook a task which the timidity of Whitelock had declined. Rising in his place, he offered to the house a paper, of which he gave no

Feb. 20

Feb. 23.

ready to name some among the major-generals who had acted oppressively. It was supposed that these words would bring him into disgrace at court. "But Harry," says a private letter, "goes last night to his highness, and stands to what he had said manfully and wisely; and, to make it appear he spake not without book, had his black book and papers ready to make good what he said. His highness answered him in raillery, and took a rich scarlet cloak from his back, and gloves from his hands, and gave them to Harry, who strutted with his new cloak and gloves into the house this day." Thurloe, vi. 20.

* Journals, Jan. 7, 8. 12. 19, 20, 21; Feb. 2, 3. 7, 8, 9. Burton's Diary, 310—20.

† Burton's Diary, 369—6.

other explanation than that it had been placed in his hands, and "tended to the settlement of the country." Its purport, however, was already known or conjectured: several officers instantly started from their seats, and Pack was violently borne down to the bar. But, on the restoration of order, he found himself supported by Broghill, Whitelock, and Glynn, and, with them, by the whole body of the lawyers and the dependents of the court. The paper was read: it was entitled, "An humble Address and Remonstrance," protesting against the existing form of government, which depended for security on the odious institution of major-generals, and providing that the protector should assume a higher title, and govern, as had been done in times past, with the advice of two houses of parliament. The opposition (it consisted of the chief officers, the leading members in the council, and a few representatives of counties,) threw every obstacle in the way of its supporters; but they were overpowered by numbers; the house debated each article in succession, and the whole project was finally adopted, but with the omission of the remonstrance, and under the amended title of the "Humble Petition and Advice."*

Opposition of the officers.

As long as the question was before parliament, Cromwell bore himself in public as if he were unconcerned in the result; but his mind was secretly harassed by the reproaches of his friends and by the misgivings of his conscience. He saw for the first time marshalled against him the men who had stood by him in his different fortunes, and whom he had bound to his interest by marriages and preferment. At their head was Lambert, the commander of the army in England; the idol of the military, and second only to himself in authority. Then came Desborough, his brother-in-law and major-general in five counties, and Fleetwood, the husband of his daughter Bridget, and lord-deputy of Ireland.† Lambert, at a private meeting of officers, proposed to bring up five regiments of cavalry, and compel the house to confirm both the "instrument," and the establishment of major-generals. This bold counsel was approved; but the next morning his colleagues, having sought

* Journals, Jan. 19.; Feb. 21, 3, 4. 5. Thurloe, vi. 74. 78. Whitelock, 655, 6. Ludlow, ii. 128. Burton's Diary, iii. 160.

† Desborough and Fleetwood passed from the inns of court to the army. The first married Anne, the protector's sister; the second, Bridget, his daughter, and the widow of Ireton. Suspicious of his principles, Cromwell kept him in England, while Henry Cromwell, with the rank of major-general, held the government of Ireland. Noble, i. 103; ii. 243. 336. 8.

the Lord in prayer, resolved to postpone its execution till they had ascertained the real intention of the protector; and Lambert, warned by their indecision, took no longer any part in their meetings, but watched in silence the course of events.* The other two, on the contrary, persevered in the most active opposition; nor did they suffer themselves to be cajoled by the artifices of the protector, who talked in their hearing with contempt of the crown as a mere bauble, and of Pack and his supporters as children, whom it might be prudent to indulge with a "rattle."†

Cromwell's answer to them.

The marked opposition of these men gave energy to the proceedings of the inferior officers, who formed themselves into a permanent council under the very eyes of Cromwell, passed votes in disapprobation of the proposed alteration, and to the number of one hundred waited on him to acquaint him with their sentiments.‡ He replied, that there was a time when they felt no objection to the title of king; for the army had offered it to him with the original instrument of government. He had rejected it then, and had no greater love for it now. He had always been the "drudge" of the officers, had done the work which they imposed on him, and had sacrificed his opinion to theirs. If the present parliament had been called, it was in opposition to his individual judgment; if the bill, which proved so injurious to the major-generals, had been brought into the house, it was contrary to his advice. But the officers had overrated their own strength; the country called for an end to all arbitrary proceedings; the punishment of Naylor proved the necessity of a check on the judicial proceedings of the parliament, and that check could only be procured by investing the protector with additional authority. This answer made several proselytes; but the majority adhered pertinaciously to their former opinion.§

Feb. 28.

Rising of the anabaptists.

Nor was spirit confined to the army: in all companies men were heard to maintain that, to set up monarchy again was to pronounce condemnation on themselves, to acknowledge themselves guilty of all the blood which had been shed to put it down. But nowhere did the proposal excite more cordial abhorrence than in the conventicles of the fifth-monarchy men. In their

* Clar. Pap. iii. 333.
† Ludlow, ii. 131.
‡ Thurloe, iv. 93, 4. 101. 219.
§ For this extraordinary speech we are indebted to the industry of Mr. Rutt. Burton's Diary, i. 382.

creed the protectorate was an impiety, kingship a sacrilegious assumption of the authority belonging to the only King, the Lord Jesus. They were his witnesses foretold in the Apocalypse; they had now slept their sleep of three years and a half; the time was come when it was their duty to rise and avenge the cause of the Lord. In the conventicles of the capital the lion of Judah was chosen for their military device; arms were prepared, and the day of rising was fixed. They amounted, indeed, to no more than eighty men; but they were the champions of him who, "though they might be as a worm, would enable them to thrash mountains." The projects of these fanatics did not escape the penetrating eye of Thurloe, who, for more than a year, had watched all their motions, and was in possession of all their secrets. Their proceedings were regulated by five persons, each of whom presided in a separate conventicle, and kept his followers in ignorance of the names of the brethren associated under the four remaining leaders. A fruitless attempt was made to unite them with the levellers. But the levellers trusted too much to worldly wisdom: the fanatics wished to begin the strife, and to leave the issue to their Heavenly King. The appointed day came: as they proceeded to the place of rendezvous, the soldiers of the Lord were met by the soldiers of the protector; twenty were made prisoners; the rest escaped, with the loss of their horses and arms, which were seized in the depot.* April 9.

In the meanwhile the new form of government had received the sanction of the house. Cromwell, when it was laid before him, had recourse to his usual arts, openly refusing that for which he ardently longed, and secretly encouraging his friends to persist, that his subsequent acquiescence might appear to proceed from a sense of duty, and not from the lust of power. At first, in reply to a long and tedious harangue from the speaker, he told them of "the consternation of his mind" at the very thought of the burthen; requested time "to ask counsel of God and his own heart;" and, after a pause of three days, replied that, inasmuch as the new constitution provided the best securities for the civil and religious liberties of the people, it had his unqualified approbation; but as far as regarded himself, "he did not find it in his duty to God and the country to undertake

Cromwell hesitates to accept the title.

March 31.

April 3.

* Whitelock, 655. Thurloe, vi. 163, 184—8.

April 8. the charge under the new title which was given him."* His friends refused to be satisfied with this answer: the former vote was renewed, and the house, waiting on him in a body, begged to remind him, that it was his duty to listen to the advice of the great council of the three nations. He meekly replied, that he still had his doubts on one point; and that, till such doubts were removed, his conscience forbade him to assent; but that he was willing to explain his reasons, and to hear theirs, and to hope that in a friendly conference the means might be discovered of reconciling their opposite opinions, and of determining on that which might be the most beneficial to the country.†

Confers on it with the committee. In obedience to this intimation, a committee of the house was appointed to receive and solve the scruples of the protector. To their surprise, they found him in no haste to enter on the discussion. Sometimes he was indisposed and could not admit them; often he was occupied with important business; on three occasions they obtained an interview. He wished to argue the question on the ground of expedience. If the power were the same under a protector, where, he asked, could be the use of a king? The title would offend men who, by their former services, had earned the right to have even their prejudices respected. Neither was he sure that the re-establishment of royalty might not be a falling off from that cause in which they had engaged, and from that Providence by which they had been so marvellously supported. It was true, that the Scripture sanctioned the dignity of king; but to the testimony of Scripture might be opposed "the visible hand of God," who in the late contest "had eradicated kingship." It was gravely replied, that Protector was a new, King an ancient title: the first had no definite meaning, the latter was interwoven with all our laws and institutions: the powers of the one were unknown and liable to alteration, those of the other ascertained and limited by the law of custom and the statute law. The abolition of royalty did not originally enter into the contemplation of parliament—the objection was to the person, not to the office—it was afterwards effected by a portion only of the representative body; whereas its restoration was now sought by a greater authority—the whole parliament of the three kingdoms. That restoration was, indeed, necessary both for his security and theirs; as by law all the

* Merc. Pol. No. 355. Mr. Rutt has discovered and inserted both speeches at length in Burton's Diary, i. 397—416.

† Thurloe, i. 751. 756. Parl. Hist. iii. 1493—5. Burton's Diary, i. 417.

acts of a king in possession, but only of a king, are good and valid. Some there were who pretended that king and chief magistrate were synonymous; but no one had yet ventured to substitute one word for the other in the Scriptures, where so many covenants, promises, and precepts are annexed to the title of king. Neither could the "visible hand of God" be alleged in the present case; for the visible hand of God had eradicated the government by a single person as clearly as that by a king. Cromwell promised to give due attention to these arguments: to his confidential friends he owned that his objections were removed; and, at the same time, to enlighten the ignorance of the public, he ordered a report of the conferences to be published.* April 20.

The protector's, however, was not one of those minds that resolve quickly and execute promptly. He seldom went straight forwards to his object, but preferred a winding circuitous route. He was accustomed to view and review the question in all its bearings and possible consequences, and to invent fresh causes of delay, till he occasionally incurred the suspicion of irresolution and timidity.† Instead of returning a plain and decisive answer, he sought to protract the time by requesting the sense of the house on different passages in the petition, on the intended amount of the annual income, and on the ratification of the ordinances issued by himself, and of the acts passed by the little parliament. By this contrivance the respite of a fortnight was obtained, during which he frequently consulted with Broghill, Pierpoint, Whitelock, Wolseley, and Thurloe.‡ At length it was whispered at court that the protector had resolved to accept the title; and immediately Lambert, Fleetwood, and Desborough made to him, in their own names and those of several others, the unpleasant declaration, that they must resign their commissions, and sever themselves from his counsels and service for ever. His irresolution returned: he had promised the house to give a final answer the May 7.

Seeks more time. April 22.

May 6. Resolves to accept the title.

* See Monarchy asserted to be the most Ancient and Legal Form of Government, etc. 1660. Walker, Researches Historical and Antiquarian, i. 1—27. Burton's Diary, App. ii. 493. Thurloe, vi. 217. Whitelock, 656. Journals, App. 9—21.

† "Every wise man out of doors wonders at the delay." Thurloe, vi. 243. Also Claren. Papers, iii. 339.

‡ "In these meetings," says Whitelock, "laying aside his greatness, he would be exceedingly familiar with us, and, by way of diversion, would make verses with us, and every one must try his fancy. He commonly called for tobacco, pipes, and a candle, and would now and then take tobacco himself. Then he would fall again to his serious and great business." 656.

Is deterred by the officers. May 8.

next morning; in the morning he postponed it to five in the evening, and at that hour to the following day. The officers observed, and resolved to profit by, the impression which they had made; and early in the morning colonel Mason, with six-and-twenty companions, offered to the parliament a petition, in which they stated that the object of those with whom the measure originated, was the ruin of the lord-general and of the best friends of the people, and conjured the house to support the good old cause in defence of which the petitioners were ready to sacrifice their lives. This bold step subdued the reluctance of the protector. He abandoned the lofty hopes to which he had so long, so pertinaciously clung; despatched Fleetwood to the house to prevent a debate; and shortly afterwards summoned the members to meet him at Whitehall. Addressing them with more than his usual embarassment, he said, that neither his own reflections nor the reasoning of the committee had convinced him that he ought to accept the title of king. If he were, he should accept it doubtingly; if he did it doubtingly, it would not be of faith; and if it were not of faith, it would be a sin. "Wherefore," he concluded, "I cannot undertake this government with that title of king, and this is mine answer to this great and weighty business."*

Refuses.

His second inauguration. May 12.

Thus ended the mighty farce which for more than two months held in suspense the hopes and fears of three nations. But the friends of Cromwell resumed the subject in parliament. It was observed that he had not refused to administer the government under any other title; the name of king was expunged for that of protector; and with this and a few more amendments, the "humble petition and advice" received the sanction of the chief magistrate. The inauguration followed. On a platform, raised at the upper end of Westminster-hall, and in front of a magnificent chair of state stood the protector; while the speaker, with his assistants, invested him with a purple mantle lined with ermine: presented him with a bible superbly gilt and embossed; girt a sword by his side, and placed a sceptre of massive gold in his hand. As soon as the oath had been administered, Manton, his chaplain, pronounced a long and fervent prayer for a blessing on the protector, the parliament,

May 25. June 26.

* Thurloe, vi. 261. 67. 81. 91. Journals, Ap. 21—May 12. Parl. Hist. iii. 1498—1502. Ludlow, ii. 131. Clar. Papers, iii. 342.

and the people. Rising from prayer, Cromwell, seated himself in a chair: on the right, at some distance, sate the French, on the left, the Dutch ambassador; on one side stood the earl of Warwick with the sword of the commonwealth, on the other, the lord mayor with that of the city; and behind arranged themselves the members of the protector's family, the lords of the council, and Lisle, Whitelock, and Montague, each of the three bearing a drawn sword. At a signal given, the trumpets sounded; the heralds proclaimed the stile of the new sovereign; and the spectators shouted, "Long live his highness; God save the lord-protector." He rose immediately, bowed to the ambassadors, and walked in state through the hall to his carriage.*

The new form of government.

That which distinguished the present from the late form of government was the advance which it made towards the more ancient institutions of the country. That advance, indeed, had wrung from Cromwell certain concessions repugnant to his feelings and ambition; but to which he probably was reconciled by the consideration that in the course of a few years they might be modified or repealed. The supreme authority was vested in the protector: but, instead of rendering it hereditary in his family, the most which he could obtain was the power of nominating his immediate successor. The two houses of parliament were restored; but, as if it were meant to allude to his past conduct, he was bound to leave to the house of commons the right of examining the qualifications and determining the claims of the several representatives. To him was given the power of nominating the members of the "other house" (he dared not yet term it the house of lords): but, in the first instance, the persons so nominated were to be approved by the house of representatives, and afterwards by the other house itself. The privilege of voting by proxy was abolished, and the right of judicature restrained within reasonable limits. In the appointment of counsellors, the great officers of state, and the commanders of the forces, many of the restrictions sought to be introduced by the long parliament were enforced. In point of religion, it was enacted that a confession of faith should be agreed upon between the protector and the two houses; but that dissenters from it should enjoy liberty

* Whitelock, 662. Merc. Polit. No. 369. Parl. Hist. iii. 1514, and Prestwick's Relation, App. to Burton's Diary, ii. 511. Most of the officers took the oath of fidelity to the protector. Lambert refused and resigned his commissions, which brought him about 6000*l.* per annum. Cromwell, however, assigned him a yearly pension of 2000*l.* Ludlow, ii. 136.

of conscience, and the free exercise of their worship, unless they should reject the mystery of the Trinity, or the inspiration of the Scriptures, or profess prelatic, or popish, or blasphemous doctrines. The yearly revenue was fixed at 1,300,000*l.*, of which no part was to be raised by a land tax; and of this sum, one million was devoted to the support of the army and navy; and 300,000*l.* to the expenses of the civil list; but, on the remonstrance of the protector, that with so small a revenue it would be impossible to continue the war, an additional grant of 600,000*l.* was voted for the three following years. After the inauguration, the commons adjourned during six months, that time might be allowed for the formation of the "other house."*

Plot to assassinate him.

Having brought this important session of parliament to its conclusion, we may now revert to the miscellaneous occurrences of the year. 1. Had much credit been given to the tales of spies and informers, neither Cromwell nor his adversary, Charles Stuart, would have passed a day without the dread of assassination. But they knew that such persons are wont to invent and exaggerate, in order to enhance the value of their services; and each had, therefore, contented himself with taking no other than ordinary precautions for his security.† Cromwell, however, was aware of the fierce unrelenting disposition of the levellers: the moment he learned that they were negotiating with the exiled king and the Spaniards, he concluded that they had sworn his destruction; and, to oppose their attempts on his life, he selected one hundred and sixty brave and trusty men from the different regiments of cavalry, whom he divided into eight troops, directing that two of these troops in rotation should be always on duty near his person.‡ Before the end of the year, he learned that a plot had actually been organised; that assassins had been engaged; and that his death was to be

Feb. 28.

Dec. 9.

* Whitelock, 657. 63. Parl. Hist. iii. 1502—11. In a catalogue printed at the time the names were given of 182 members of this parliament, who, it was pretended, "were sons, kinsmen, servants, and otherwise engaged unto, and as places of profit, offices, salaries, and advantages, under the protector," sharing annually among them out of the public money the incredible sum of 1,016,317*l.* 16*s.* 8*d.*

† Thurloe's voluminous papers abound with offers and warnings connected with this subject.

‡ Thurloe, iv. 567. Carte, Letters, ii. 81. Their pay was four and sixpence per day. Ibid. In addition, if we may believe Clarendon, he had always several beds prepared in different chambers, so that no one knew in what particular room he would pass the night. Hist. iii. 646.

the signal for a simultaneous rising of the levellers and royalists, and the sailing of a hostile expedition from the coast of Flanders. The author of this plan was Sexby; nor will it be too much to assert that it was not only known but approved by the advisers of Charles at Bruges. They appointed an agent to accompany the chief of the conspirators; they prepared to take every advantage of the murder; they expressed an unfeigned sorrow for the failure of the attempt. Indeed Clarendon, the chief minister (he had lately been made lord-chancellor), was known to hold that the assassination of a successful rebel or usurper was an act of justifiable and meritorious loyalty.*

It is discovered.

Sexby had found a fit instrument for his purpose in Syndercomb, a man of the most desperate courage, formerly a quarter-master in the army in Scotland, and dismissed on account of his political principles. Having admitted a man of the name of Cecil as his associate, he procured seven guns which would carry a number of balls; hired lodgings in places near which the protector was likely to pass; bribed Took, one of the life-guardsmen, to give information of his motions, and bought the fleetest horses for the purpose of escape. Yet all his designs were frustrated, either by the multitude of the spectators, or the vigilance of the guards, or by some unforseen and unlucky accident. At the persuasion of Wildman he changed his plan, and on the 9th of January, about six in the evening, entering Whitehall with his two accomplices, he unlocked the door of the chapel, deposited in a pew a basket filled with inflammable materials, and lighted a match which, it was calculated, would burn six hours. His intention was that the fire should break out about midnight: but Took had already revealed the secret to Cromwell, and all three were apprehended as they closed the door of the chapel. Took saved his life by the discovery, Cecil by the confession of all that he

Jan. 9.

* That both Charles and Clarendon knew of the design, and interested themselves in its execution, is plain from several letters (Clar. Pap. iii. 311, 2. 5. 24. 27. 31. 35.) Nor can there be a doubt that Clarendon approved of such murders. It is, indeed, true that, speaking of the murder of Ascham, when he was at Madrid, he says that, he and his colleague, lord Cottington, abhorred it. (Clar. Hist. iii. 371.) Yet, from his private correspondence, it appears that he wrote papers in defence of the murderers, (Clar. Pap. iii. 21. 23.) recommended them as "brave fellows, and honest gentlemen," (ibid. 235, 6), and observed to secretary Nicholas, that it was a sad and grievous thing that the princess royal had not supplied Middleton with money, "but a worse and baser thing that any man should appear in any part beyond sea under the character of an agent from the rebels, and not have his throat cut." Ibid. 144. 1652. Feb. 20.

knew. But Syndercomb had wisely concealed from them the names of his associates and the particulars of their plan. They knew not that certain persons within the palace had undertaken to murder the protector during the confusion likely to be caused by the conflagration, and that such measures had been taken as to render his escape almost impossible. Syndercomb was tried; the judges held that the title of protector was in law synonymous with that of king; and he was condemned to suffer the penalties of high treason. His obstinate silence defeated the anxiety of the protector to procure further information respecting the plot; and Syndercomb, whether he laid violent hands on himself, or was despatched by the order of government, was found dead in his bed, a few hours before the time appointed for his execution.*

Feb. 9.

Feb. 13.

Arrest and death of Sexby.

2. The failure of this conspiracy would not have prevented the intended invasion by the royalist army from Flanders, had not Charles been disappointed in his expectations from another quarter. No reasoning, no intreaty, could quicken the characteristic slowness of the Spanish ministers. Neither fleet nor money was ready; the expedition was postponed from month to month; the season passed away, and the design was deferred till the return of the long and darksome nights of winter. But Sexby's impatience refused to submit to these delays: his fierce and implacable spirit could not be satisfied without the life of the protector. A tract had been recently printed in Holland, entitled "Killing no murder:" that, from the powerful manner in which it was written, made a deeper impression on the public mind than any other literary production of the age. After an address to Cromwell, and another to the army, both conceived in a strain of the most poignant and sarcastic irony, it proceeds to discuss the three questions:

* See Thurloe, v. 774—7; vi. 7. 53. Merc. Polit. No. 345. Bates, Elen. 388. Clarendon Pap. iii. 324, 5. 327. Clarend. Hist. iii. 646; and the several authorities copied in the State Trials, v. 842—871. The body was opened, and the surgeons declared that there existed no trace of poison in the stomach, but that the brain was inflamed and distended with blood in a greater degree than is usual in apoplexy, or any known disease. The jury, by the direction of the lord chief justice, returned a verdict that "he, the said Miles Syndercomb, a certain poisoned powder through the nose of him, the said Miles, into the head of him, the said Miles, feloniously, wilfully, and of malice aforethought, did snuff and draw; by reason of which snuffing and drawing so as aforesaid into the head of him, the said Miles, he, the said Miles, himself did mortally poison, etc." Ibid. 859. The levellers and royalists maintained that he was strangled by order of Cromwell. Clar. iii. 647.

Whether the lord-protector be a tyrant? Whether it be lawful to do justice on him by killing him? and Whether this, if it be lawful, will prove of benefit to the commonwealth? Having determined each question in the affirmative, it concludes with an eulogium on the bold and patriotic spirit of Syndercomb, the rival of Brutus and Cato, and a warning that "longus illum sequitur ordo idem petentium decus;" that the protector's own muster-roll contains the names of those who aspire to the honour of delivering their country; that his highness is not secure at his table or in his bed; that death is at his heels wherever he moves, and that, though his head reaches the clouds, he shall perish like his own dung, and they that have seen him shall exclaim: Where is he? Of this tract thousands of copies were sent by Sexby into England: and, though many were seized by the officers, yet many found their way into circulation.* Having obtained a sum of one thousand four hundred crowns, he followed the books to organize new plots against the life of the protector. But by this time he was too well known. All his steps in Holland were watched; his departure for England was announced; emissaries were dispatched in every direction, and within a few weeks he was apprehended and incarcerated in the Tower. There he discovered, probably feigned, symptoms of insanity. To questions respecting himself he answered with apparent frankness and truth, that he had intrigued with the Spanish court, that he had supplied Syndercomb with money, that he had written the tract, "Killing no Murder:" nor was there, he said, any thing unlawful in these things, for the protectorate had not then been established by authority of parliament; but, whenever he was interrogated respecting the names and plans of his associates, his answers became wild and incoherent, more calculated to mislead than to inform, to create suspicion of the friends, than to detect the machinations of the enemies, of the government. He was never brought to trial, but died, probably by violence, in the sixth month of his imprisonment.†

1657. July 25.

Oct. 12.

1658. Jan. 13.

* Thurloe, vi. 315.

† Clar. Papers, iii. 322. 338. 357, Merc. Pol. 39. Thurloe, vi. 33, 182. 315. 425. 560. 829. Clarendon assures us that Sexby was an illiterate person, which is a sufficient proof that he was not the real author of the tract, though he acknowledged it for his own in the Tower, probably to deceive the protector. The writer, whoever he was, kept his secret, at least at first: for Clarendon writes to secretary Nicholas, that he could not imagine who could write it. Clar. Papers, iii. 343. By most historians it has been attributed to captain Titus; nor shall we think this improbable, if we recol-

Victory of Blake at Santa Cruz.

3. During the winter Blake continued to blockade Cadiz; in spring he learned that the Plate fleet from Peru had sought an asylum in the harbour of Santa Cruz in the island of Teneriffe. There the merchantmen, ten in number, were moored close to the shore in the form of a crescent: while the six galleons in their front formed a parallel line at anchor in deeper water. The entrance of the bay was commanded by the guns of the castle; seven batteries erected at intervals along the beach protected the rest of the harbour; and these were connected with each other by covered ways, lined with musketry. So confident was the governor when he surveyed these preparations, that, in the pride of his heart, he desired a Dutch captain to inform the English admiral that he was welcome to come whenever he durst. Blake came, examined the defences, and, according to custom, proclaimed a solemn fast.

April 20. At eight the next morning Stayner took the lead in a frigate; the admiral followed with the larger ships; and the whole fleet, availing itself of a favourable wind, entered the harbour under a tremendous shower of balls and shells. Each vessel immediately fell into its allotted station; and, while some engaged the shipping, the rest directed their fire against the batteries. The Spaniards, though fewer in number of ships, were superior in that of men; their hopes were supported by the aid which they received from the land; and during four hours they fought with the most determined bravery. Driven from the galleons, the crews retreated to the second line of merchantmen, and renewed the contest till they were finally compelled to save themselves on the shore. At two in the afternoon every Spanish ship was in possession of the English; but the victory was still in suspense, owing to the difficulty of working the fleet out of the harbour in the teeth of the gale. Blake ordered the prizes to be burnt; soon afterwards, by miracle as he persuaded himself, the wind veered to the southwest, and the conquerors proceeded triumphantly out to sea. This gallant action, though it failed of securing the treasure which the protector chiefly sought, raised the reputation of Blake in every part of Europe. Unfortunately the hero himself lived not to receive the congratulations of his country. He had been during a great part of three years at sea; the scur-

lect that Titus was, in Holland, constantly in the company of Sexby till the departure of the latter for England. Ibid. 331. 335. Evelyn asserts it in his Diary, ii. 210. 8vo.

vy and dropsy wasted his constitution; and he expired as his ship, the St. George, entered the harbour of Plymouth.* His death Aug. 17.

Blake had served with distinction in the army during the civil war; and the knowledge of his talents and integrity induced the parliamentary leaders to entrust him with the command of a fleet. For maritime tactics he relied on the experience of others; his plans and his daring were exclusively his own. He may claim the peculiar praise of having dispelled an illusion which had hitherto cramped the operations of the British navy—a persuasion that it was little short of madness to expose a ship at sea to the fire from a battery on shore. The victories of Blake at Tunis and Santa Cruz served to establish the contrary doctrine; and the seamen learned from his example to despise the danger which had hitherto been deemed so formidable. Though Cromwell prized his services, he doubted his attachment; and a suspicion existed that the protector did not regret the death of one who professed to fight for his country, not for the government. But he rendered that justice to the dead, which he might perhaps have refused to the living, hero. He publicly acknowledged his transcendent merit, honouring his bones with a funeral at the national expense, and ordering them to be interred at Westminster in Henry the Eighth's chapel. In the next reign the coffin was taken from the vault, and deposited in the church-yard.

4. The reader is aware of Cromwell's anxiety to form a more intimate alliance with Louis XIV. For this purpose Lockhart, one of the Scotch judges who had married his niece, and received knighthood at his hand, proceeded to France. After some discussion, a treaty, to last twelve months, was concluded;† and sir John Reynolds landed at Calais with an auxiliary force of six thousand men, one half in the pay of the king, the other half in that of the protector. But as an associate in the war, Cromwell demanded a share in Alliance with France. 1657. March 13. May 15.

* Heath, 391. Echard, 725.

† Thurloe, vi. 63. 86. 115. 124. To avoid disputes, the treaty was written in the Latin language, and the precedency was given to Louis in one copy, to Cromwell in the other. In the diplomatic collection of Dumont, vi. part ii. 178, is published a second treaty, said to have been signed on May 9. N. S. If it were genuine, it would disclose gigantic projects of aggrandizement on the part of the two powers. But it is clearly a forgery. We have despatches from Lockhart dated on the day of the pretended signature, and other despatches for a year afterward; yet none of them make the remotest allusion to this treaty, several contain particulars inconsistent with it.

the spoil, and that share was nothing less than the possession of Mardyke and Dunkirk, as soon as they could be reduced by the allies. To this proposal the strongest opposition had been made in the French cabinet. Louis was reminded of the injuries which the English, the natural enemies of France, had inflicted on the country in the reigns of his predecessors. Dunkirk would prove a second Calais; it would open to a foreign foe the way into the heart of his dominions. But he yielded to the superior wisdom or ascendancy of Mazarin, who replied that, if France refused the offer, it would be accepted with a similar sacrifice by Spain; that, supposing the English to be established on that coast at all, it was better that they should be there as friends than as enemies: and that their present co-operation would enable him either to drive the Spaniards out of the Netherlands, or to dictate to them the terms of peace.* The combined force was placed under the command of the celebrated Turenne, who was opposed by the Spaniards under Don Juan with the British exiles, commanded by the duke of York, and the French exiles, by the prince of Condé. The English auxiliaries, composed of veteran regiments, supported the reputation of their country by their martial appearance and exemplary discipline; but they had few opportunities of displaying their valour; and the summer was spent in a tedious succession of marches, and countermarches, accompanied with no brilliant action or important result. Cromwell viewed the operation of the army with distrust and impatience. The French ministry seemed in no haste to redeem their pledge with respect to the reduction of Dunkirk, and to his multiplied remonstrances uniformly opposed this unanswerable objection, that, in the opinion of Turenne, the best judge, the attempt in the existing circumstances must prove ruinous to the allies. At last he would brook no longer delay; the army marched into the neighbourhood of the town, and the fort of Mardyke capitulated after a siege of three days. But the Spaniards lay strongly entrenched behind the canal of Bergues, between Mardyke and Dunkirk; and by common consent the design was abandoned, and the siege of Gravelines substituted in its place. Scarcely, however, had the combined army taken a position before it, when the sluices were opened, the country was inundated, and Turenne dismissed his forces into winter quarters. Mardyke received a garrison, partly of English and partly of French, under the

Sep. 23.

Sep. 27.

* Œuvres de Louis XIV. 171.

command of sir John Reynolds; but that officer in a short time incurred the suspicion of the protector. The duke of York, from his former service in the French army, was well known to some of the French officers. They occasionally met and exchanged compliments in their rides, he from Dunkirk, they from Mardyke. By one of them Reynolds solicited permission to pay his respects to the young prince. He was accompanied by Crew, another officer, and, though he pretended that it was an accidental civility, found the opportunity of whispering an implied offer of his services in the ear of the duke. Within a few days he received an order to wait on the protector in London in company with colonel White, who had secretly accused him: both obeyed, and were lost on the Godwin Sands, through the ignorance or the stupidity of the captain.* Dec. 5.

New parliament of two houses. 1658. Jan. 20.

At home, the public attention was absorbed by a new and most interesting spectacle, the meeting of a parliament divided according to the ancient form into two houses. Sixty-two individuals had been summoned to the upper house, and the writs, as they were copies of those formerly issued by the sovereign, were held to confer in like manner the privileges of an hereditary peerage subject to certain exceptions specified in the "petition and advice."† The commons, at the call of the usher of the black rod, proceeded to the house of lords, where they found his highness seated under a canopy of state. His speech began with the ancient address: "My lords and gentlemen of the house of commons." It was short, but its brevity was compensated by its piety, and after an exposition of the eighty-fifth psalm, he referred his two houses for other particulars to Fiennes, the lord-keeper, who in a long and tedious harangue, praised and defended the new institutions. After the departure of the commons, the lords spent their time in inquiries into the privileges of their house. Cromwell had summoned his two sons, Richard and Henry, eight peers of royal creation, several members of his council, some gentlemen of fortune and family, with a due proportion of lawyers and officers, and a scanty sprinkling of persons known to be disaffected to his government. Of the ancient peers, two only attended, the lords Eure and Falconberg, of whom the latter had recently married Mary, the protector's daughter;

* Thurloe, vi. 231. 287. 426. 512. 538. 542. 580. 637. 665. 676. 731. Memoirs of James, i. 317—329.

† Thurloe, vi. 752.

and of the other members, nine were absent through business or disinclination. As their journals have not been preserved, we have little knowledge of their proceedings.*

The commons inquire into the rights of the other house.

In the lower house, the interest of the government had declined by the impolitic removal of the leading members to the house of lords, and by the introduction of those who, having formerly been excluded by order of Cromwell, now took their seats in virtue of the article which reserved to the house the right of inquiry into the qualifications of its members. The opposition was led by two men of considerable influence and undaunted resolution, Hazlerig and Scot. Both had been excluded at the first meeting of this parliament, and both remembered the affront. To remove Hazlerig from a place where his experience and eloquence rendered him a formidable adversary, Cromwell had called him to the upper house; but he refused to obey the writ, and took his seat among the commons.† That a new house was to be called according to the articles of the "petition and advice," no one denied; but who, it was asked, made its members lords? who gave them the privileges of the ancient peerage? who empowered them to negative the acts of that house to which they owed their existence? Was it to be borne that the children should assume the superiority over their parents: that the nominees of the protector should control the representatives of the people, the depositaries of the supreme power of the nation? It was answered, that the protector had called them lords; that it was the object of the "petition and advice" to re-establish the "second estate?" and that, if any doubt remained, it were best to amend the "instrument" by giving to the members of the other house the title of lords, and to the protector that of king. Cromwell sought to soothe these angry spirits. He read to them lectures on the benefit, the necessity, of unanimity. Let them look abroad. The papists threatened to swallow up all the protestants of Europe. England was the

* Journals, Jan. 7. 20; Ib. 668. Whitelock, 666. See the names and characters of those who attended, in "A second Narrative of the late Parliament (so called) etc., printed in the fifth Year of England's Slavery under its new Monarchy, 1658." They spent their time in "little matters, such as choosing of committees; and, among other things, to consider of the privileges and jurisdiction of their house, (good, wise souls), before they knew what their house was or should be called." Ibid. 7.

† Hazlerig made no objection to the oath which bound him to be faithful to the protector. But the sense which he attached to it is singular: "I will be faithful," said he, "to the lord-protector's person. I will murder no man." Burton's Diary, ii. 347.

only stay, the last hope of religion. Let them look at home; the cavaliers and the levellers were combined to overthrow the constitution; Charles Stuart was preparing an invasion; and the Dutch had ungratefully sold him certain vessels for that purpose. Dissension would inevitably draw down ruin on themselves, their liberties, and their religion. For himself, he called God, angels, and men, to witness that he sought not the office which he held. It was forced upon him: but he had sworn to execute its duties, and he would perform what he had sworn, by preserving to every class of men their just rights whether civil or religious.* But his advice, and entreaties, and menaces, were useless. The judges repeatedly brought messages from "the lords to the commons," and as often were told that "that house would return an answer by messengers of their own." Instead, however, of returning answers, they spent their whole time in debating what title and what rights ought to belong to the other house.†

Cromwell dissolves the parliament.

Never, perhaps, during his extraordinary career, was Cromwell involved in difficulties equal to those which surrounded him at this moment. He could raise no money without the consent of parliament, and the pay of the army in England was five, and of that in Ireland seven months, in arrear: the exiled king threatened a descent from the coast of Flanders, and the royalists throughout the kingdom were preparing to join his standard; the leaders of opposition in parliament had combined with several officers in the army to re-establish the commonwealth "without a single person or house of lords;" and a preparatory petition for the purpose of collecting signatures was circulated through the city. Cromwell consulted his most trusty advisers, of whom some suggested a dissolution, others objected the want of money, and the danger of irritating the people. Perhaps he had already taken his resolution,

* Mr. Ruff has added this speech to Burton's Diary, ii. 351—371. I may remark that, 1. the protector now addressed the members by the ambiguous style of "my lords and gentlemen of the two houses of parliament." 2. That he failed in proving the danger which, as he pretended, menaced protestantism. If, in the north, the two protestant states of Sweden and Denmark were at war with each other, more to the south the catholic states of France and Spain were in the same situation. 3. That the vessels sold by the Dutch were six flutes which the English cruisers afterwards destroyed. 4. That from this moment he was constantly asserting with oaths that he sought not his present office. How could he justify such oaths in his own mind? Was it on the fallacious ground that what he in reality sought was the office of king, not of protector?

† Journals, Jan. 25. 9; Feb. 1. 3. Burton's Diary, ii. 371—464. Thurloe, i. 766; vi. 757.

Feb. 4. though he kept it a secret within his own breast: perhaps it might be the result of some sudden and momentary impulse;* but one morning he unexpectedly threw himself into a carriage with two horses standing at the gates of Whitehall; and, beckoning to six of his guards to follow, ordered the coachman to drive to the parliament house. There he revealed his purpose to Fleetwood, and, when that officer ventured to remonstrate, declared by the living God that he would dissolve the parliament Sending for the commons he addressed them in an angry and expostulating tone. "They," he said, "had placed him in the high situation in which he stood: he sought it not: there was neither man nor woman on English ground who could say he did. God knew that he would rather have lived under a wood side, and have tended a flock of sheep, than have undertaken the government. But, having undertaken it at their request, he had a right to look to them for aid and support. Yet some among them, God was his witness, in violation of their oaths, were attempting to establish a commonwealth interest in the army; some had received commissions to enlist men for Charles Stuart, and both had their emissaries at that moment seeking to raise a tumult, or rather a rebellion in the city. But he was bound before God to prevent such disasters; and, therefore," he concluded, "I think it high time that an end be put to your sitting; and I do dissolve this parliament; and let God judge between me and you." "Amen, amen," responded several voices from the ranks of the opposition.†

Receives addresses in consequence.

This was the fourth parliament that Cromwell had broken. The republicans indulged their resentment in murmurs, and complaints, and menaces; but the protector, secure of the fidelity of the army, despised the feeble efforts of their vengeance, and encouraged by his vigour the timidity of his counsellors. Strong patroles of infantry and cavalry paraded the streets, dispersing every assemblage of people in the open air, in private houses, and even in conventicles and churches for the purpose, or under the pretext, of devotion. The co-

* "Something happening that morning that put the protector into a rage and passion near unto madness, as those at Whitehall can witness." Second Narrative, p. 8.

† Journ. Feb. 4. Thurloe, vi. 778. 779. 781. 788. Parl. Hist. iii. 1525. By the oath, which Cromwell reproaches them with violating, they had sworn "to be true and faithful to the lord protector as chief magistrate, and not to contrive, design, or attempt any thing against his person or lawful authority."

lonel-major and several captains of his own regiment were cashiered ;* many of the levellers and royalists were arrested and imprisoned, or discharged upon bail ; and the lord mayor, aldermen, and common council, received from Cromwell himself an account of the danger which threatened them from the invasion meditated by Charles Stuart, and a charge to watch the haunts of the discontented, and to preserve the tranquillity of the city. At the same time his agents were busy in procuring loyal and affectionate addresses from the army, the counties, and the principal towns ; and these, published in the newspapers, served to overawe his enemies, and to display the stability of his power.†

Arrival of Ormond.

The apprehension of invasion, to which Cromwell so frequently alluded, was not entirely groundless. On the return of winter the royalists had reminded Charles of his promise in the preceding spring ; the king of Spain furnished an aid of one hundred and fifty thousand crowns ; the harbour of Ostend was selected for the place of embarkation, and arms, ammunition, and transports were purchased in Holland. The prince himself, mastering for a while his habits of indolence and dissipation, appeared eager to redeem his pledge :‡ but the more prudent of his advisers conjured him not to risk his life on general assurances of support ; and the marquess of Ormond, with the most chivalrous loyalty, offered to ascertain on the spot the real objects and resources of his adherents. Pretending to proceed on a mission to the court of the duke of Neuburg, that nobleman crossed the sea, landed in disguise at Westmarch on the coast of Essex, and hastened to London. There, continually changing his dress and lodgings, he contrived to elude the suspicion of the spies of government, and had opportunities of conversing with men of different parties ; with the royalists, who sought the restoration of the ancient monarchy ; with the levellers, who were willing that the claims of the king and the subject

1658. End of Jan.

* "I," says Hacker, "that had served him fourteen years, and had commanded a regiment seven years, without any trial or appeal, with the breath of his nostrils I was outed, and lost not only my place but a dear friend to boot. Five captains under my command were outed with me, because they could not say that was a house of lords." Burton's Diary, iii. 166.

† Thurloe, vi. 778. 781. 788; vii. 4. 21. 32. 49. 71. Par. Hist. iii. 1528.

‡ Still Ormond says to Hyde, "I fear his immoderate delight in empty, effeminate, and vulgar conversations is become an irresistible part of his nature, and will never suffer him to animate his own designs, and other's actions with that spirit which is requisite for his quality, and much more to his fortune." 27. Jan. 7. 1658. Clar. iii. 387.

should be adjusted in a free parliament; with the moderate presbyterians, who, guided by the earls of Manchester and Denbigh, with Rossiter and sir William Waller, offered to rely on the royal promises; and the more rigid among the same religionists, who, with the lords Say and Roberts at their head, demanded the confirmation of the articles to which the late king had assented in the Isle of Wight. But from none could he procure any satisfactory assurances of support. They were unable to perform what they had promised by their agents. They had not the means, or the courage, or the abilities, necessary for the undertaking. The majority refused to declare themselves, till Charles should have actually landed with a respectable force; and the most sanguine required a pledge that he would be ready to sail the moment he heard of their rising, because there was no probability of their being able, without foreign aid, to make head against the protector beyond the short space of a fortnight.*

Treachery of Willis.

In these conferences Ormond frequently came in contact with sir Richard Willis, one of the select knot, and standing high in the confidence of Charles.† Willis uniformly disapproved of the attempt. The king's enemies, he observed, were now ready to unsheathe their swords against each other; but let the royal banner be once unfurled, and they would suspend their present quarrel, to combine their efforts against the common enemy. Yet the author of this prudent advice was, if we may believe Clarendon, a traitor, though a traitor of a very singular description. He is said to have contracted with Cromwell, in consideration of an annual stipend, to reveal to him the projects of the king and the royalists, but on condition that he should have no personal communication with the protector, that he should never be compelled to mention any individual whose name he wished to keep secret, and that he should not be called upon to give evidence, or to furnish documents, for the conviction of any prisoner.‡ It

* Carte's Letters, ii. 118. 124. 130. Clar. iii. 388. 392. 395. Thurloe, i. 718.

† The knot consisted of Willis, Colonel Russel, sir William Compton, Edward Villiers, and Mr. Broderick, according to several letters in Clarendon; according to the duke of York, of the four first, lord Bellasis, and lord Loughborough. James, i. 370.

‡ This is Clarendon's account. In Thurloe, i. 757, is a paper signed John Foster, supposed to be the original offer made to Thurloe by Willis. He there demands that no one, but the protector should be acquainted with his employment, that he should never be brought forward as a witness; that the

is believed that for several years he faithfully complied with this engagement; and when he thought that Ormond had been long enough in London, he informed Cromwell of the presence of the marquess in the capital, but at the same moment conveyed advice to the marquess that orders had had been issued for his apprehension. This admonition had its desired effect. Ormond stole away to Shoreham, in Sussex, crossed over to Dieppe, and, travelling in disguise through France, that he might escape the notice of Lockhart and Mazarin, proceeded along the Rhine to join his master in Flanders.* Feb. 15.

There was little in the report of Ormond to give encouragement to Charles; his last hopes were soon afterwards extinguished by the vigilance of Cromwell. The moment the thaw opened the ports of Holland, a squadron of English frigates swept the coast, captured three, and drove on shore two flutes destined for the expedition, and closely blockaded the harbour of Ostend.† The design was again postponed till the winter; and the king resolved to solicit in person a supply of money at the court of the Spanish monarch. But from this journey he was dissuaded by the cardinal de Retz, who pointed out to him the superior advantage of his residence in Flanders, where he was in readiness to seize the first propitious moment which fortune should offer. In the mean time the cardinal, through his agent in Rome, solicited from the pope pecuniary aid for the king, on condition that in the event of his ascending the throne of his fathers, he should release the catholics of his three kingdoms from the intolerable pressure of the penal laws.‡ Royal fleet destroyed. March 15. April 14.

The transactions of this winter, the attempt of Syndercomb, the triumph of his opponents in parliament, and the preparations of the royalists to receive the exiled king, added to habitual indisposi- Trials of the royalists.

pardon of one dear friend should be granted to him; and that he should receive 50*l.* with the answer, 500*l.* on his first interview with Thurloe, and 500*l.* when he put into their hands any of the conspirators against Cromwell's person.

* Clar. Hist. iii. 614—618. 667. Clarendon's narrative is so frequently inaccurate that it is unsafe to give credit to any charge on his authority alone; but in the present instance he relates the discovery of the treachery of Willis with such circumstantial minuteness, that it will require a considerable share of incredulity to doubt of its being substantially true, and his narrative is confirmed by James ii. (Mem. i. 370.) and other documents to be noticed hereafter.

† Carte's Letters, ii. 126. 135. Clar. Papers, iii. 396.

‡ Carte's Letters, ii. 136—142. 145. Clar. Pap. iii. 401.

tion, had soured and irritated the temper of Cromwell. He saw that to bring to trial the men who had been his associates in the cause might prove a dangerous experiment; but there was nothing to deter him from wreaking his vengeance on the royalists, and convincing them of the danger of trespassing any more on his patience by their annual projects of insurrection. In every county all who had been denounced, all who were even suspected, were put under arrest; a new high court of justice was established according to the act of 1656; and sir Henry Slingsby, Dr. Hewet, and Mr. Mordaunt were selected for the three first victims. Slingsby, a catholic gentleman and a prisoner at Hull, had endeavoured to corrupt the fidelity of the officers in the garrison; who by direction of the governor, amused the credulity of the old man, till he had the imprudence to deliver to them a commission from Charles Stuart.* Dr. Hewet was an episcopalian divine, permitted to preach at St. Gregory's, and had long been one of the most active and useful of the royal agents in the vicinity of the capital. Mordaunt, a younger brother of the earl of Peterborough, had also displayed his zeal for the king, by maintaining a constant correspondence with the marquess of Ormond, and distributing royal commissions to those who offered to raise men in favour of Charles. Of the truth of the charges brought against them, there could be no doubt; and, aware of their danger, they strongly protested against the legality of the court, demanded a trial by jury, and appealed to Magna Charta, and several acts of parliament. Slingsby at last pleaded, and was condemned; Hewet, under the pretence that to plead was to betray the liberties of Englishmen, stood mute; and his silence, according to a recent act, was taken for a confession of guilt. Mordaunt was more fortunate. Stapeley, who, to save his own life, swore against him, proved an unwilling witness; and Mallory, who was to have supported the evidence of Stapeley, had four days before been bribed to abscond. This deficiency was gladly laid hold of by the majority of the judges, who gave their opinion that his guilt was not proved; and, for similar reasons, some days later acquitted two other conspirators, sir Humphrey Bennet and captain Woodcock. The fact is, they were weary of an office which exposed them to the censure of the public; for the court was viewed with hatred by the people. It abolished the trial by jury; it admitted no inquest

1658. April 2.

June 1.

June 9.

* Thurloe, vi. 777. 780. 786. 870; vii. 46, 47. 98.

or presentment by the oaths of good and faithful men; it deprived the accused of the benefit of challenge; and its proceedings were contrary to the law of treason, the petition of right, and the very oath of government taken by the protector. Cromwell, dissatisfied with these acquittals, yielded to the advice of the council, and sent the rest of the prisoners before the usual courts of law, where several were found guilty, and condemned to suffer the penalties of treason.*

Execution of Slingsby and Hewet.

Great exertions were made to save the lives of Slingsby and Hewet. In favour of the first, it was urged that he had never been suffered to compound, had never submitted to the commonwealth, and had been for years deprived both of his property and liberty, so that his conduct should be rather considered as the attempt of a prisoner of war to regain his freedom, than of a subject to overturn the government. This reasoning was urged by his nephew, lord Falconberg, who, by his recent marriage with Mary Cromwell, was believed to possess considerable influence with her father. The interest of Dr. Hewet was espoused by a more powerful advocate, by Elizabeth, the best-beloved of Cromwell's daughters, who at the same time was in a delicate and precarious state of health. But it was in vain that she interceded for the man, whose spiritual ministry she employed: Cromwell was inexorable. He resolved that blood should be shed, and that the royalists should learn to fear his resentment, since they had not been won by his forbearance. Both suffered death by decapitation.† June 8.

Battle of the Dunes.

During the winter, the gains and losses of the hostile armies in Flanders had been nearly balanced. If, on the one hand, the duke of York was repulsed

* Whitelock, 673, 4. Thurloe, vii. 159. 164. State Trials, v. 871. 883. 907. These trials are more interesting in Clarendon, but much of his narrative is certainly, and more of it probably, fictitious. It is not true that Slingsby's offence was committed two years before, nor that Hewet was accused of visiting the king in Flanders, nor that Mallory escaped out of the hall on the morning of the trial. (See Claren. Hist. iii. 619—624.) Mallory's own account of his escape is in Thurloe, vii. 194. 220.

† Ludlow, ii. 149. I think there is some reason to question those sentiments of loyalty to the house of Stuart, and that affliction and displeasure on account of the execution of Hewet, which writers attribute to Elizabeth Claypole. In a letter written by her to her sister-in-law, the wife of H. Cromwell, and dated only four days after the death of Hewet, she calls on her to return thanks to God for their deliverance from Hewet's conspiracy: "for sertingly not ondly his (Cromwell's) famely would have bin ruined, but in all probabilyti the hol nation would have bin involod in blod." June 12. Thurloe, vii. 171.

with loss in his attempt to storm by night the works at Mardyke; on the other, the marshal D'Aumont was made prisoner with fifteen hundred men by the Spanish governor of Ostend, who, under the pretence of delivering up the place, had decoyed him within the fortifications. In February, the offensive treaty between France and England was renewed for another year; three thousand men, drafted from different regiments, were sent by the protector to supply the deficiency in the number of his forces; and the combined army opened the campaign with the siege of Dunkirk. By the Spaniards the intelligence was received with surprise and apprehension. Deceived by false information, they had employed all their efforts to provide for the safety of Cambray. The repeated warnings given by Charles had been neglected: the extensive works at Dunkirk remained in an unfinished state; and the defence of the place had been left to its ordinary garrison of no more than one thousand men, and these but scantily supplied with stores and provisions. To repair his error, Don Juan, with the consent of his Mentor, the marquess Caracena, resolved to hazard a battle, and, collecting a force of six thousand infantry, and four thousand cavalry, encamped between the village of Zudcote and the lines of the besiegers. But Turenne, aware of the defective organization of the Spanish armies, resolved to prevent the threatened attack; and the very next morning, before the Spanish cannon and ammunition had reached the camp, the allied force was seen advancing in battle array. Don Juan hastily placed his men along a ridge of sand hills which extended from the sea coast to the canal, giving the command of the right wing to the duke of York, of the left to the prince of Condé, and reserving the centre to himself. The battle was begun by the English, who found themselves opposed to their countryman, the duke of York. They were led by major-general Morgan; for Lockhart, who acted both as ambassador and commander-in-chief, was confined by indisposition to his carriage. Their ardour to distinguish themselves in the presence of the two rival nations carried them considerably in advance of their allies; but, having halted to gain breath at the foot of the opposite sand hill, they mounted with impetuosity, received the fire of the enemy, and, at the point of the pike, drove them from their position. The duke immediately charged at the head of the Spanish cavalry: but one half of his men were mowed down by a well-directed fire of musketry; and James himself owed the preservation of his life to the temper of his armour. The advantage, however, was dearly purchased;

in Lockhart's regiment scarcely an officer remained to take the command.

By this time the action had commenced on the left, where the prince of Condé, after some sharp fighting, was compelled to retreat by the bank of the canal. The centre was never engaged; for the regiment, on its extreme left, seeing itself flanked by the French in pursuit of Condé, precipitately abandoned its position, and the example was successively imitated by the whole line. But, in the mean while, the duke of York had rallied his broken infantry, and, while they faced the English, he charged the latter in flank at the head of his company of horse-guards. Though thrown into disorder, they continued to fight, employing the but-ends of their muskets against the swords of their adversaries, and in a few minutes several squadrons of French cavalry arrived to their aid. James was surrounded; and, in despair of saving himself by flight, he boldly assumed the character of a French officer: rode at the head of twenty troopers toward the right of their army; and, carefully threading the different corps, arrived without exciting suspicion at the bank of the canal, by which he speedily effected his escape to Furnes.* The victory on the part of the allies was complete. The Spanish cavalry made no effort to protect the retreat of their infantry: every regiment of which was successively surrounded by the pursuers, and compelled to surrender. By Turenne and his officers the chief merit of this brilliant success was cheerfully allotted to the courage and steadiness of the English regiments: at Whitehall it was attributed to the prayers of the lord-protector, who, on that very day, observed with his council a solemn fast to implore the blessing of heaven on the operations of the allied army.†

Capitulation of Dunkirk.

Unable to oppose their enemies in the field, the Spanish generals proposed to retard their progress by the most obstinate defence of the different fortresses. The prince de Ligne undertook that of

* See the account of this battle by James himself in his Memoirs, i. 338—358. Also Thurloe, vii. 155, 6. 9.

† "Truly," says Thurloe, "I never was present at any such exercise, where I saw a greater spirit of faith and prayer poured forth." Ibid. 158. "The Lord" says Fleetwood, "did draw forth his highness's heart to set apart that day to seek the Lord; and indeed there was a very good spirit appearing. Whilst we were praying, they were fighting: and the Lord hath given a signal answer. And the Lord hath not only owned us in our work there, but in our waiting upon him in our way of prayer, which is indeed our old experienced approved way in all our straits and difficulties." Ibid. 159.

Ipres: the care of Newport, Bruges, and Ostend, was committed to the duke of York; and Don Juan returned to Brussels to hasten new levies from the different provinces. Within a fortnight Dunkirk capitulated, and the king of France, having taken possession, delivered the keys with his own hand to the English ambassadors. Gravelines was soon afterwards reduced; the prince de Ligne suffered himself to be surprised by the superior activity of Turenne; Ipres opened its gates, and all the towns on the banks of the Lys successively submitted to the conquerors. Seldom, perhaps, had there occurred a campaign more disastrous to the Spanish arms.*

June 17.

Cromwell's greatness.

In the eyes of the superficial observer, Cromwell might now appear to have reached the zenith of power and greatness. At home he had discovered, defeated, and punished, all the conspiracies against him: abroad, his army had gained laurels in the field; his fleets swept the seas; his friendship was sought by every power; and his mediation was employed in settling the differences between both Portugal and Holland, and the king of Sweden, and the elector of Brandenbourg. He had recently sent lord Falconberg to compliment Louis XIV. on his arrival at Calais; and, in a few days, was visited by the duke of Crequi, who brought him a magnificent sword as a present from that prince, and by Mancini, with another present of tapestry from his uncle, the cardinal Mazarin. But, above all, he was now in possession of Dunkirk, the great object of his foreign policy for the last two years, the opening through which he was to accomplish the designs of Providence on the continent. The real fact, however, was that his authority in England never rested on a more precarious footing than at the present moment; while, on the other hand, the cares and anxieties of government, joined to his apprehensions of personal violence and the pressure of domestic affliction, were rapidly undermining his constitution, and hurrying him from the gay and glittering visions of ambition to the darkness and silence of the tomb.

His poverty.

1. Cromwell was now reduced to that situation which, to the late unfortunate monarch, had proved the source of so many calamities. His expenditure far outran his income. Though the last parliament had made provision, ample provision as it was then thought, for the splendour of his establishment and for all the charges of

* James, Memoirs, i. 360. Thurloe, vii. 169. 176. 215.

the war, he had already contracted enormous debts; his exchequer was frequently drained to the last shilling; and his ministers were compelled to go a begging, such is the expression of the secretary of state, for the temporary loan of a few thousand pounds, with the cheerless anticipation of a refusal.* He looked on the army, the greater part of which he had quartered in the neighbourhood of the metropolis, as his chief—his only support against his enemies; and while the soldiers were comfortably clothed and fed, he might with confidence rely on their attachment; but now that their pay was in arrear, he had reason to apprehend that discontent might induce them to listen to the suggestions of those officers who sought to subvert his power. On former occasions, indeed, he had relieved himself from similar embarrassments by the imposition of taxes by his own authority; but this practice was so strongly reprobated in the petition and advice; and he had recently abjured it with so much solemnity, that he dared not repeat the experiment. He attempted to raise a loan among the merchants and capitalists in the city; but his credit and popularity were gone: he had, by plunging into war with Spain, cut off one of the most plentiful sources of profit, the Spanish trade; and the number of prizes made by the enemy, amounting to more than a thousand,† had ruined many opulent fortunes. The application was eluded by a demand of security on the landed property belonging to country gentlemen. There remained a third expedient, an application to parliament. But Cromwell, like the first Charles, had learned to dread the very name of a parliament. Three of these assemblies he had moulded according to his pleasure, and yet not one of them could he render obsequious to his will. Urged, however, by the ceaseless importunites of Thurloe, he appointed nine counsellors to inquire into the means of defeating the intrigues of the republicans in a future parliament; the manner of raising a permanent revenue from the estates of the royalists; and the best method of determining the succession to the protectorate. But among the nine were two who, aware of his increasing infirmities, began to cherish projects of their own aggrandizement, and who, therefore, made it their care to perplex and to prolong the deliberations. The committee sat three weeks. On the two first questions, they came to no conclusion: with respect to the third, they voted, on a di- June 18.

* Thurloe, vii. 99, 100. 144, 295.
† Thurloe, vii. 662.

vision, that the choice between an elective and an hereditary succession was a matter of indifference. Suspicious of their motives, Cromwell dissolved the committee.* But he substituted no council in its place; things were allowed to take their course; the embarrassment of the treasury increased; and the irresolution of the protector, joined to the dangers which threatened the government, shook the confidence of Thurloe himself. It was only when he looked up to heaven that he discovered a gleam of hope, in the persuasion that the God who had befriended Cromwell through life, would not desert him at the close of his career.†

July 8.

July 27.

His fear of assassination.

2. To the cares of government must be added his constant dread of assassination. It is certainly extraordinary that, while so many conspiracies are said to have been formed, no attempt was actually made against his person; but the fact that such designs had existed, and the knowledge that his death was of the first importance to his enemies, convinced him that he could never be secure from danger. He multiplied his precautions. He wore defensive armour under his clothes; he carried loaded pistols in his pockets; he sought to remain in privacy; and, when he found it necessary to give audience, he sternly watched the eyes and gestures of those who addressed him. He was careful that his own motions should not be known beforehand. His carriage was filled with attendants; a numerous escort accompanied him; and he proceeded at full speed, frequently diverging from the road to the right or left, and generally returning by a different route. In his palace he often inspected the nightly watch, changed his bed-chamber, and was careful that, besides the principal door, there should be some other egress, for the facility of escape. He had often faced death without flinching in the field; but his spirit broke under the continual fear of unknown and invisible foes. He passed the nights in a state of feverish anxiety; sleep fled from his pillow; and for more than a year before his death we always find the absence of rest assigned as either the cause

* Thurloe, vii. 146. 196. 172. 269. The committee consisted, in Thurloe's words, of lord Fiennes, lord Fleetwood, lord Desborow, lord Chamberlayne, lord Whalley, Mr Comptroller, lord Goffe, lord Cooper, and himself, p. 192. On this selection Henry Cromwell observes: "The wise men were but seven; it seems you have made them nine. And having heard their names, I think myself better able to guess what they'll do than a much wiser man; for no very wise man can ever imagine it." p. 217.

† Ibid. 153. 282. 295.

which produced, or a circumstance which aggravated, his numerous ailments.*

His grief for his daughter's death.

3. The selfishness of ambition does not exclude the more kindly feelings of domestic affection. Cromwell was sincerely attached to his children; but, among them, he gave the preference to his daughter Elizabeth Claypole. The meek disposition of the young woman possessed singular charms for the overbearing spirit of her father; and her timid piety readily received lessons on mystical theology from the superior experience of the lord general.† But she was now dying of a most painful and internal complaint, imperfectly understood by her physicians; and her grief for the loss of her infant child added to the poignancy of her sufferings. Cromwell abandoned the business of state that he might hasten to Hampton-court, to console his favourite daughter. He frequently visited her, remained long in her apartment, and, whenever he quitted it, seemed to be absorbed in the deepest melancholy. It is not probable that the subject of their private conversation was exposed to the profane ears of strangers. We are, however, told that she expressed to him her doubts of the justice of the good old cause, that she exhorted him to restore the sovereign authority to the rightful owner, and that, occasionally, when her mind was wandering, she alarmed him by uttering cries of "blood" and predictions of vengeance.‡

His sickness. Aug. 6. Aug. 17. Aug. 24.

4. Elizabeth died. The protector was already confined to his bed with the gout, and, though he anticipated the event, some days elapsed before he recovered from the shock. A slow fever still remained, which was pronounced a bastard tertian. One of his physicians whispered to another, that his pulse was intermittent: the words caught the ears of the sick man; he turned pale, a cold perspiration covered his face; and, re-

* Clar. Hist. iii. 646. Bates, Elench. 342. Welwood, 94.

† The following passage from one of Cromwell's letters to his daughter Ireton, will perhaps surprise the reader. "Your sister Claypole is (I trust in mercye) exercised with some perplexed thoughts, shee sees her owne vanitye, and carnal minde, bewailinge itt, shee seeks after (as I hope alsoe) that wch will satisfie, and thus to bee a seeker, is to be of the best sect next a finder, and such an one shall every faythfull humble seeker bee at the end. Happie seeker, happie, finder. Whoe ever tasted that the Lord is gracious, without some sence of self-vanitye and badness? Whoe ever tasted that graciousnesse of his, and could goe lesse in desier, and lesse than pressinge after full enjoyment. Deere hart presse on: lett not husband, lett any thinge coole thy affections after Christ," etc. etc. Harris, iii. App. 515. edit. 1814.

‡ Clar. Hist. iii. 647. Bulstrode, 205. Heath, 408.

questing to be placed in bed, he executed his private will. The next morning he had recovered his usual composure; and when he received the visit of his physician, ordering all to quit the room but his wife, whom he held by the hand, he said: "Do not think that I shall die: I am sure of the contrary." Then, observing the surprise which these words excited, he continued: "Say not that I have lost my reason: I tell you the truth. I know it from better authority than any which you can have from Galen or Hippocrates. It is the answer of God himself to our prayers, not to mine alone, but to those of others who have a more intimate interest in him than I have."* The same communication was made to Thurloe, and to the different members of the protector's family; nor did it fail to obtain credit among men who believed that "in other instances he had been favoured with similar assurances, and that they had never deceived him."† Hence his chaplain Goodwin exclaimed, "O Lord, we pray not for his recovery, that thou hast granted already; what we now beg is his *speedy* recovery."‡

Aug. 25. His conviction of his recovery.

In a few days, however, their confidence was shaken. For change of air he had removed to Whitehall, till the palace of St. James's should be ready for his reception. There his fever became a double tertian, and his strength rapidly wasted away. Who, it was asked, was to succeed him? On the day of his inauguration he had written the name of his successor within a cover sealed with the protectorial arms; but that paper had been lost, or purloined, or destroyed. Thurloe undertook to suggest to him a second nomination, but the condition of the protector, who was always insensible or delirious, afforded him no opportunity. A suspicion, however, existed, that he had private reasons for declining to interfere in so delicate a business.§

His danger.

Aug. 28.

On the night of the second of September Cromwell had a lucid interval of considerable duration. It might have been expected that a man of his religious disposition would have felt some compunctious visitings, when from the bed of death he looked back on the strange eventful career of his past life. But he had

His discourse. Sep. 2.

* Thurloe, vii. 321. 340. 354, 355. Bates, Elench. 413.
† Thurloe, vii. 355. 367. 376.
‡ Ludlow, ii. 151.
§ Thurloe, 355. 365, 366.

adopted a doctrine admirably calculated to lull and tranquillize the misgivings of conscience. "Tell me," said he to Sterry, one of his chaplains, "is it possible to fall from grace?" "It is not possible," replied the minister. "Then," exclaimed the dying man, "I am safe: for I know that I was once in grace." Under this impression he prayed, not for himself, but for God's people. "Lord," he said, "though a miserable and wretched creature, I am in covenant with thee through thy grace, and may and will come to thee for thy people. Thou hast made me a mean instrument to do them some good, and thee service. Many of them set too high a value upon me, though others would be glad of my death. Lord, however thou disposest of me, continue, and go on to do good for them. Teach those who look too much upon thy instruments, to depend more upon thyself, and pardon such as desire to trample upon the dust of a poor worm, for they are thy people too."*

It was a stormy night. The violence of the wind increased till it blew a hurricane. Trees were torn from their roots in the park, and houses unroofed in the city. So strange a coincidence could not fail of exciting remarks in a superstitious age; and, though the storm reached to the coasts of the Mediterranean, in England it was universally referred to the deathbed of the protector. His friends asserted that God would not remove so great a man from this world without previously warning the nation of its approaching loss: the cavaliers more maliciously maintained that the devils, "the princes of the air," were congregating over Whitehall, that they might pounce on the protector's soul.†

His death. Sep. 3.

Early in the morning, he relapsed into a state of insensibility. It was his fortunate day, the 3d of September, a circumstance from which his sorrowing relatives derived a new source of consolation. It was, they observed, on the 3d of September that he overcame the Scots at Dunbar; on that day, he also overcame the royalists at Worcester; and on the same day he was destined to overcome his spiritual enemies, and to receive the crown of victory in heaven. About four in the afternoon he breathed his last, amidst the tears and lamentations of his attendants. "Cease to weep," exclaimed the fanatical Sterry, "you have more reason to rejoice. He was your protector here; he

* Collection of Passages concerning his Late Highness in Time of his Sickness, p. 12. The author was Underwood, groom of the bed-chamber. See also a letter of H. Cromwell, Thurloe, vii 454. Ludlow, ii. 153, 4 Clar. 646. Bulstrode, 207. Heath, 408. Noble, i. 147. note.

will prove a still more powerful protector, now that he is with Christ at the right hand of the Father." With a similar confidence in Cromwell's sanctity, though in a somewhat lower tone of enthusiasm, the grave and cautious Thurloe announced the event by letter to the deputy of Ireland. "He is gone to heaven, embalmed with the tears of his people, and upon the wings of the prayers of the saints."*

And character.

Till the commencement of the present century, when that wonderful man arose, who, by the splendour of his victories and the extent of his empire, cast all preceding adventurers into the shade, the name of Cromwell stood without a parallel in the history of civilized Europe. Men looked with a feeling of awe on the fortunate individual who, without the aid of birth, or wealth, or connexions, was able to seize the government of three powerful kingdoms, and to impose the yoke of servitude on the necks of the very men who had fought in his company to emancipate themselves from the less arbitrary sway of their hereditary sovereign. That he who accomplished this was no ordinary personage, all must admit; and yet, on close investigation, we shall discover little that was sublime or dazzling in his character. Cromwell was not the meteor which surprises and astounds by the brilliancy and rapidity of its course. Cool, cautious, calculating, he stole on with slow and measured pace; and while with secret pleasure he toiled up the ascent to greatness, laboured to persuade the spectators that he was reluctantly borne forward by an exterior and resistless force, by the march of events, the necessities of the state, the will of the army, and even the decree of the Almighty. He looked upon dissimulation as the perfection of human wisdom, and made it the key-stone of the arch on which he built his fortunes.† The aspirations of his ambition were concealed under the pretence of attachment to "the good old cause;" and his secret workings to acquire the sovereignty for himself and his family were represented as endeavours to secure for his former brethren in arms the blessings of civil and religious freedom, the two great objects which originally called them into the field. Thus his whole conduct was made up of artifice and deceit. He laid his plans long beforehand; he studied the views and dispositions of all, from whose influence he had any thing to hope or fear; and employed every expedient to win their affections, and to make them the blind

* Ludlow, ii. 153. Thurloe, vii. 373.

† See proofs of his dissimulation in Harris, iii. 93—103. Hutchinson, 313.

unconscious tools of his policy. For this purpose he asked questions, or threw out insinuations in their hearing; now kept them aloof with an air of reserve and dignity; now put them off their guard by condescension, perhaps, by buffoonery;* at one time, addressed himself to their vanity or avarice; at another, exposed to them with tears (for tears he had at will) the calamities of the nation; and then, when he found them moulded to his purpose, instead of assenting to the advice which he had himself suggested, feigned reluctance, urged objections, and pleaded scruples of conscience. At length he yielded: but it was not till he had acquired by his resistance the praise of moderation, and the right of attributing his acquiescence to their importunity, rather than to his own ambition.†

Exposed as he was to the continual machinations of the royalists and levellers, both equally eager to precipitate him from the height to which he had attained, Cromwell made it his great object to secure to himself the attachment of the army. To it he owed the acquisition, through it alone could he ensure the permanence, of his power. Now, fortunately for this purpose, that army, composed as never was army before or since, revered in the lord-protector what it valued mostly in itself, the cant and practice of religious enthusiasm. The superior officers, the subalterns, the privates, all held themselves forth as professors of godliness. Among them every public breach of morality was severely punished; the exercises of religious worship were of as frequent recurrence as those of military duty;‡ in council, the officers always opened the proceedings with extemporary prayer; and to implore with due solemnity the protection of the Lord of Hosts, was held an indispensible part of the preparation for battle. Their cause they considered the cause of God: if they fought, it was for his glory; if they conquered, it was by the might of his arm. Among these enthusiasts, Cromwell, as he held the first place in rank, was also pre-eminent in spiritual gifts.§ The fervour

* See instances in Bate's Elenc. 344. Cowley, 95. Ludlow, i. 207. Whitelock, 656. S. Trials, v. 1131, 1199.

† See Ludlow; i. 272; ii. 13, 14. 17.

‡ "The discipline of the army was such that a man would not be suffered to remain there, of whom we could take notice he was guilty of such practices." Cromwell's speech to parliament in 1654. It surprised strangers. Certa singulis diebus tum fundendis Deo precibus, tum audiendis Dei præconiis erant assignata tempora. Parallelum Olivæ apud Harris, iii 12. E certo ad ogni modo, che le truppe vivóno con tanta esattezza, come se fossero fraterie de' religiosi. Sagredo, MS.

§ Religioso al estremo nell' esteriore, predica con eloquenza ai soldati, persuade a vivere secondo le leggi d'Iddio, e per render più efficace la per-

with which he prayed, the unction with which he preached, excited their admiration and tears. They looked on him as the favourite of God, under the special guidance of the Holy Spirit, and honoured with communications from heaven; and he, on his part, was careful, by the piety of his language, by the strict decorum of his court, and by his zeal for the diffusion of godliness, to preserve and strengthen such impressions. In minds thus disposed, it was not difficult to create a persuasion that the final triumph of "their cause" depended on the authority of the general under whom they had conquered; while the full enjoyment of that religious freedom which they so highly prized, rendered them less jealous of the arbitrary power which he occasionally assumed. In his public speeches, he perpetually reminded them that, if religion was not the original cause of the late civil war, yet "God soon brought it to that issue;" that amidst the strife of battle, and the difficulties and dangers of war, the reward to which they looked was freedom of conscience; that this freedom to its full extent they enjoyed under his government, though they could never obtain it till they placed the supreme authority in his hands.* The merit which he thus arrogated to himself was admitted to be his due by the great body of the saints: it became the spell by which he rendered them blind to his ambition and obedient to his will; the engine with which he raised, and afterwards secured, the fabric of his greatness.

On the subject of civil freedom, the protector could not assume so bold a tone. He acknowledged, indeed, its importance; it was second only to religious freedom; but if second, then, in the event of competition, it ought to yield to the first. He contended that, under his government, every provision had been made for the preservation of the rights of individuals, so far as was consistent with the safety of the whole nation. He had reformed the chancery, he had laboured to abolish the abuses of the law, he had placed learned and upright judges on the bench, and he had been careful in all ordinary cases that impartial justice should be administered between the parties. This indeed was true; but it was also true that by his orders men were arrested and committed without lawful cause; that juries were packed; that prison-

sasione, si serve ben spesso delle lagrime, piangendo più li peccati altrui, che li proprii. Ibid. Ludlow, iii. 111.

* See in particular his speech to his second parliament, printed by Henry Hills, 164.

ers, acquitted at their trial, were sent into confinement beyond the jurisdiction of the courts; that taxes had been raised without the authority of parliament; that a most unconstitutional tribunal, the high court of justice, had been established; and that the major-generals had been invested with powers the most arbitrary and oppressive.* These acts of despotism put him on his defence; and in apology he pleaded, as every despot will plead, reasons of state, the necessity of sacrificing a part to preserve the whole, and his conviction, that a "people blessed by God, the regenerated ones of several judgments forming the flock and lambs of Christ, would prefer their safety to their passions, and their real security to forms." Nor was this reasoning addressed in vain to men who had surrendered their judgments into his keeping, and who felt little for the wrongs of others, as long as such wrongs were represented necessary for their own welfare.

Some writers have maintained that Cromwell dissembled in religion as well as in politics; and that, when he condescended to act the part of the saint, he assumed for interested purposes a character which he otherwise despised. But this supposition is contradicted by the uniform tenor of his life. Long before he turned his attention to the disputes between the king and the parliament, religious enthusiasm had made a deep impression on his mind;† it continually manifested itself during his long career both in the senate and the field, and it was strikingly displayed in his speeches and prayers on the last evening of his life. It should, however, be observed, that he made religion harmonize with his ambition. If he believed that the cause in which he had embarked was the cause of God, he also believed that God had chosen him to be the successful champion of that cause. Thus the honour of God was identified with his own advancement, and the arts, which his policy suggested, were sanctified in his eyes by the ulterior object at which he aimed—the diffusion of godliness, and the establishment of the reign of Christ among mankind.

* "Judge Rolles," says Challoner, "was shuffled out of his place. Three worthy lawyers were sent to the Tower. It cost them 50*l.* apiece for pleading a client's cause. One Portman was imprisoned two or three years without cause. Several persons were taken out of their beds and carried none knows whither." Burton's Diary, iv. 47.

† Warwick, 249.

NOTE [A,] Page 32.

THE COMMISSION OF LORD FAIRFAX.

THE Parliament of England having had abundant Testimonies and experience of the singular fidelitie and courage of Thomas Lord Fairfax doe enact and ordaine, and be it enacted and ordained by this present Parliament and the authoritie thereof, and the Parliament doe hereby constitute, ordaine and appoint the said Thomas Lord Fairfax, captaine generall and commander in chief of the armies and forces raised and to be raised by authoritie of Parliament within the commonwealth of England, untill the Parliament shall otherwise order and ordaine, Giuing and Graunting to the said Thomas Lord Fairfax, full power and authoritie to rule, govern, command, dispose, and imploy the said armies and forces and everie part thereof and all officers and others whatsoever imploied, or to be imploied in or concerning the same, in for or about all defences, offences, invasions, executions, and other military and hostile acts and services as captaine Generall and commander in chief, and to be subject to and pursue such orders and directions as he hath received, or at any time shall receive from the Parliament or the counsell of state appointed by authoritie of Parliament. And further giving and granting to the said Thomas Lord Fairfax, full power and authoritie to conduct and lead the said armies and forces and everie part thereof, against all enemies, rebells, traitors and other like offenders and everie of their adherents, and with them to fight, and them to invade, resist, depress, subdue, pursue, slay, kill, and put to execution of death, by all waies and meanes, and to fulfill and execute all and singular other things, for the governing of the said armies and forces, and to assigne and grant commissions to all such commanders and officers, as shall be thought necessarie and re-

Die Veneris 14 Junii 1650.

quisite for the government and commaund of the said armies and forces: And to assigne and appoint one or more provost Marshalls for the execution of his comands according to the tenor hereof. And to command all garrisons, forts, castles and towns alreadie fortified or to be fortified as likewise by himself or others deputed and authorized by him, to take up and use such carriages, horses, boates and other vessels as in his discretion and as often as he shall thinke meet, shall be needfull for the conveying and conducting of the said armies and forces or any part thereof; or for bringing or carrying ammunition, ordnance, artillerie, victualle, and all or any other provisions necessarie or requisite for the said armies or forces or any part thereof, to or from any place or places according to the tenor hereof. And to give rules, instructions, and directions for the governing leading and conducting of the said armies and forces and euery part thereof; And to execute, or cause to be executed Marshall law for the punishment of all tumults, rapines, murders, and other crimes and misdemeanors in any person whatsoever in the said armies and forces or any part thereof according to the course and customes of the warres, and according to the lawes and ordinances of the warres heretofore allowed by any act ordinance or order of Parliament; And the said lawes and ordinances of warre shall cause to be proclaymed and executed; wreightly charging and requiring all the officers and soldiers of the said armies and every part thereof, to be obedient to him the said Thomas Lord Fairfax as likewise all sheriffes, officers of the ordnance, justices of the peace, maiors, bailiffes and other officers and persons whatsoever in their respective counties and places, to be ayding and assisting to him the said Thomas Lord Fairfax in the execution of the said office of captaine general and commander-in-chief of the said armies and forces for the ends and purposes and in manner aforesaid.

[From the original.] HEN. SCOBELL,
Clic. Parliament.

NOTE [B,] Page 78.

THE ACT FOR THE SETTLEMENT OF IRELAND.

Whereas the parliament of England after expense of much blood and treasure for suppression of the horrid rebellion in Ireland have by the good hand of God vppon their vndertakings brought that affaire to such an issue as that a totall reducm' and

settlement of that nation may with Gods blessing be speedily effected. To the end therefore that the people of that nation may knowe that it is not the intention of the Parliament to extirpat that wholl nation, but that mercie and pardon both as to life and estate may bee extended to all husbandmen, plowmen, labourers, artificers, and others of the inferior sort, in manner as is heereafter declared, the submitting themselves to the Parliament of the Commonwealth of England and liveing peaceably and obediently vnder their governement, and that others alsoe of a higher ranke and quality may knowe the Parliament's intention concerning them according to the respective demerits and considerations under which they fall, Bee it enacted and declared by this present parliament and by the authority of the same, That all and every person and persons of the Irish nation comprehended in any of the following Qualifications shall bee lyable vntò the penalties and forfeitures herein mentioned and contained or bee made capable of the mercy and pardon therein extended respectively according as is heereafter expressed and declared that is to saye,

1. That all and every person and persons who at any time before the tenth day of November 1642 being the time of the sitting of the first generall assembly at Kilkenny in Ireland have contrived, advised, counselled, or promoted the Rebellion, murthers, massacres, done or committed in Ireland w^ch^ began in the yeare 1641. or have at any time before the said tenth day of November 1642 by bearing armes or contributing men, armes, horses, plate, money, victuall or other furniture or habilliments of warre (other then such w^ch^ they shall make to appeare to haue bene taken from them by meere force & violence) ayded, assisted, promoted, prosecuted or abetted the said rebellion murthers or massacres, be excepted from pardon of life and estate.

2. That all and every person & persons who at any time before the first day of May 1643. did sitt or vote, in the said first generall assembly, or in the first pretended counsell, comonly called the supreame councell of the confederate Catholiques in Ireland or were imployed as secretaries or cheife clearke to be exempted from pardon for life and estate.

3. That all and every Jesuitt preist and other person or persons who have receaved orders from the Pope or Sea of Rome, or any authoritie from the same, that have any wayes contrived, advised, counselled, promoted, continued, countenanced, ayded, assisted or abetted, or at any time hereafter shall any wayes contriue, advise, councell, promote, continue, countenance, ayde, assist or abett the Rebellion or warre in Ireland, or any the murthers, or massacres, robberies or violences comitted against y^e^ Pro-

testants, English, or others there, be excepted from pardon for life and estate.

4. That James Butler earl of Ormond, James Talbot earl of Castelhaven, Ullick Bourke earl of Clanricarde, Christopher Plunket earl of Fingal, James Dillon earl of Roscommon, Richard Nugent earl of Westmeath, Moragh O'Brian baron of Inchiquin, Donogh M'Carthy viscount Muskerry, Richard Butler viscount Mountgarrett, Theobald Taaffe viscount Taaffe of Corren, Rock viscount Fermoy, Montgomery viscount Montgomery of Ards, Magennis viscount of Iveagh, Fleming baron of Slane, Dempsey viscount Glanmaleere, Birmingham baron of Atheney, Oliver Plunkett baron of Lowth, Robert Barnwell baron of Trymletstoune, Myles Bourke viscount Mayo, Connor Magwyre baron of Eaniskillen, Nicholas Preston viscount Gormanstowne, Nicholas Nettervill, viscount Nettervill of Lowth, John Bramhall late bishop of Derry, (with eighty-one baronets, knights and gentlemen mentioned by name) be excepted from pardon of life and estate.

5. That all and every person & persons (both principalls and accessories) who since the first day of October 1641 have or shall kill, slay or otherwise destroy any person or persons in Ireland w^{ch} at ye time of their being soe killed, slaine or destroyed were not publiquely entertained, and mainteyned in armes as officers or private souldiers for and on behalfe of the English against y^{e} Irish and all and every person and persons (both principalls and accessories) who since the said first day of October 1641 have killed, slayne or otherwise destroyed any person or persons entertained and mainteyned as officers or private souldiers for and on behalfe of the English, against the Irish (the said persons soe killing, slaying or otherwise destroying, not being then publiquely enterteyned and mainteyned in armes as officer or private souldier vnder the comānd and pay of y^{e} Irish against the English) be excepted from pardon for life and estate.

6. That all and every person & persons in Ireland that are in armes or otherwise in hostilitie against y^{e} Parliam^{t} of y^{e} Commonwealth of England, and shall not wthin eight and twenty dayes after publicacōn hereof by y^{e} deputy gen^{ll} of Ireland, et y^{e} commission^{rs} for the Parliam^{t} lay downe armes & submitt to y^{e} power and authoritie of y^{e} said Parliam^{t} & commonwealth as y^{e} same is now established, be excepted from pardon for life and estate.

7. That all other person & persons (not being comprehended in any of y^{e} former Qualifications), who have borne comāund in the warre of Ireland against the Parliam^{t} of England or their forces, as generall, leift^{ts} generall, major gen^{ll}, commissary generall, colonell, Gouerno^{rs} of any garrison, Castle or Forte, or

who have been employed as receaver genll or Treasurer of the whole Nation, or any prouince thereof, Comissarie genll of musters, or prouissions, Marshall generall or marshall of any province, advocate to ye army, secretary to ye councel of warre, or to any generall of the army, or of any the seuerall prouinces, in order to the carrying on the warre, against the parliamt or their forces, be banished dureing the pleasure of the parliamt of ye Com~wealth of England, and their estates forfeited & disposed of as followeth, (viz.) That two third partes of their respective estates, be had taken & disposed of for the vse et benefitt of the said Com~wealth, and that ye other third parte of their said respective estates, or other lands to ye proporcõn & value thereof (to bee assigned in such places in Ireland as the Parliamt in order to ye more effectual settlemt of ye peace of this Nation shall thinke fitt to appoint for that purpose,) be respectiuely had taken and enioyed by ye wifes and children of the said persons respectively.

8. That ye deputy genll and comissionrs of parliamt have power to declare, That such person or persons as they shall judge capeable of ye parlaimts mercie (not being comprehended in any of ye former qualifications) who have borne armes against the Parliamt of England or their forces, and have layd downe armes, or within eight & twenty days after publicacõn hereof by ye deputy genll of Ireland and ye Commissioners for ye parliamt, shall lay downe armes et submitt to ye power & authoritie of ye said parliamt & com~wealth as ye same is now established, (by promising & ingaging to be true to ye same) shall be pardoned for their liues, but shall forfeit their estates, to the said Comonwealth to be disposed of as followeth (viz.) Two third partes thereof (in three equall partes to bee diuided) for the vse benefitt et aduantage of ye said Comonwealth, and ye other third parte of the said respective estates, or other lands to ye proporcõn or value thereof (to bee assigned in such places in Ireland as the parliamt in order to ye more effectual settlement of the peace of the Nation shall thinke fitt to appoint for that purpose) bee enioyed by ye said persons their heires or assigns respectively, provided, That in case the deputy genll & Commissionrs or either of them, shall see cause to give any shorter time than twenty eight dayes, vnto any person or persons in armes, or any Garrison, Castle, or Forthe, in hostilitie against the Parliamt & shall giue notice to such person or persons in armes or in any Guarrison, Castle or Forte, That all and every such person & persons who shall not wthin such time as shal be sett downe in such notice surrender such Guarryson, Castle, or Forte to ye parliamt, and lay downe armes, shall haue noe advantage of ye time formerly limitted in this Qualificacõn.

9. That all and every person & persons who have recided in

Ireland at any time from the first day of October 1641, to y^e^ first of March 1650, and haue not beene in actuall service of y^e^ parliam^t^ at any time from y^e^ first of August 1649, to the said first of March 1650, or have not otherwise manifested their constant good affections to the interrest of y^e^ Comõnwealth of England (the said Persons not being comprehended in any of the former Qualificacõns) shall forfeit their estates in Ireland to the said Comõnwealth to be disposed of as followeth, (viz.) one third parte thereof for the vse, benefitt, & advantage of the said Comõnwealth, and the other two third partes of their respective estates, or other lands to the proporcõn or value thereof (to bee assigned in such places in Ireland, as y^e^ Parliam^t^ for y^e^ more effectual settlement of y^e^ peace of the Nation shall thinke fitt to appoint for that purpose) bee enioyed by such person or persons their heires or assigns respectively.

10. That all and every person & persons (haueing noe reall estate in Ireland nor personall Estate to the value of ten pounds,) that shall lay downe armes, and submitt to the power and Authoritie of the parliament by the time limitted in the former Qualificacõn, & shall take & subscribe the engagem^t^ to be true and faithfull to the Comõnwealth of England as the same is now established, within such time and in such manner, as the deputy Generall, & commission^rs^ for the Parliam^t^ shall appoint and direct, such persons (not being excepted from pardon nor adiuged for banishm^t^ by any of the former Qualificacõns) shal be pardoned for life & estate, for any act or thing by them done in prosecution of the warre.

11. That all estates declared by the Qualificacõns concerning rebells or delinquents in Ireland to be forfeited shal be construed, adiuged & taken to all intents and purposes to extend to y^e^ forfeitures of all estates tayle, and also of all rights & titles thereunto which since the fiue and twentith of March 1639, have beene or shal be in such rebells or delinquents, or any other in trust for them or any of them, or their or any of their vses, w^th^ all reversions & remainders thereupon in any other person or persons whatsoever.

And also to the forfeiture of all estates limitted, appointed, conueyed, settled, or vested in any person or persons declared by the said Qualificacõns to be rebells or delinquents with all reversions or remainders of such estates, conueyed, uested, limitted, declared or appointed to any the heires, children, issues, or others of the blood, name, or kindred of such rebells or delinquents, w^ch^ estate or estates remainders or reuersions since the 25^th^ of March 1639 have beene or shal be in such rebells or delinquents, or in any their heires, children, issues or others of the blood, name, or kindred of such rebells or delinquents.

And to all estates graunted, limitted, appointed or conueyed by

any such rebells or delinquents vnto any their heires, children, issue, wth all the reversions and remainders therevpon, in any other person of the name blood or kindred of such rebells or delinquents, provided that this shall not extend to make voyd the estates of any English Protestants, who haue constantly adhered to the parliam^{t} w^{ch} were by them purchased for valuable consideracõn before y^{e} 23rd of October 1641, or vpon like valuable consideracõn mortgaged to them before y^{e} tyme or to any person or persons in trust for them for satisfaction of debts owing to them.

[From the original.]

NOTE [C,] Page 168.

REVENUE OF THE PROTECTOR.

When the parliament, in 1654, undertook to settle an annual sum on the protector, Oliver Cromwell, the following, according to the statement of the subcommittee, was the amount of the revenue in the three kingdoms :—

Excise and customs in England	80,000*l.*
Excise and customs in Scotland	10,000
Excise and customs in Ireland	20,000
Monthly assessments in England (at 60,000*l.*)	720,000
Monthly assessments in Ireland (at 8,000*l.*)	96,000
Monthly assessments in Scotland (at 8,000*l.*)	96,000
Crown revenue in Guernsey and Jersey	2,000
Crown revenue in Scotland	9,000
Estates of Papists and delinquents in England	60,000
Estates of Papists and delinquents in Scotland	30,000
Rent of houses belonging to the crown	1,250
Post-office	10,000
Exchequer revenue	20,000
Probate of wills	10,000
Coinage of tin	2,000
Wine licences	10,000
Forest of Dean	4,000
Fines on alienations	20,000
	1,200,000*l.*

[From the original, which, as well as the originals of the two former notes, is in the collection of Thomas Lloyd, Esq.]

A

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FROM THE FIRST

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CHAP. II.

CHARLES II.

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HISTORY

OF

ENGLAND.

CHAP. I.

THE PROTECTORATE.

RICHARD CROMWELL PROTECTOR.—PARLIAMENT CALLED.—DISSOLVED.—MILITARY GOVERNMENT.—LONG PARLIAMENT RESTORED.—EXPELLED AGAIN.—REINSTATED.—MONK IN LONDON.—READMISSION OF SECLUDED MEMBERS.—LONG PARLIAMENT DISSOLVED.—THE CONVENTION PARLIAMENT.—RESTORATION OF CHARLES II.

By his wife, Elizabeth Bourchier, Cromwell left two sons, Richard and Henry. There was a remarkable contrast in the opening career of these young men. During the civil war Richard lived in the Temple, frequented the company of the cavaliers, and spent his time in gaiety and debauchery. Henry repaired to his father's quarters; and so rapid was his promotion, that at the age of twenty he held the commission of captain in the regiment of guards belonging to Fairfax, the lord-general. After the establishment of the commonwealth, Richard married, and, retiring to the house of his father-in-law at Hursley in Hampshire, devoted himself to the usual pursuits of a country gentleman. Henry accompanied his father in the reduction of Ireland, which country he afterwards governed, first with the rank of major-general, afterwards with that of lord-deputy. It was not till the second year of the protectorate that Cromwell seemed to recollect that he had an elder son. He made him a lord of trade, then chancellor of the university of Oxford, and lastly a member of the new house of peers. As these honours were far inferior to those which he lavished on other persons connected with his family, it was inferred that he entertained a

1658. The two sons of Cromwell.

mean opinion of Richard's abilities. A more probable conclusion is, that he feared to alarm the jealousy of his officers, and carefully abstained from doing that which might confirm the general suspicions, that he designed to make the protectorship hereditary in his family.

Richard succeeds his father.

The moment he expired, the counsel assembled, and the result of their deliberation was an order to proclaim Richard Cromwell protector, on the ground that he had been declared by his late highness his successor in that dignity.* Not a murmur of opposition was heard: the ceremony was performed in all places after the usual manner of announcing the accession of a new sovereign; and addresses of condolence and congratulation poured in from the army and navy, from one hundred congregational churches, and from the boroughs, cities, and counties. It seemed as if free-born Britons had been converted into a nation of slaves. These compositions were drawn up in the highest strain of adulation, adorned with forced allusions from Scripture, and with all the extravagance of oriental hyperbole. "Their sun was set, but no night had followed. They had lost the nursing father, by whose hand the yoke of bondage had been broken from the necks and consciences of the godly. Providence by one sad stroke had taken away the breath from their nostrils, and smitten the head from their shoulders; but had given them in return the noblest branch of that renowned stock, a prince distinguished by the lovely composition of his person, but still more by the eminent qualities of his mind. The late protector had been a Moses to lead God's people out of the land of Egypt; his son would be a Joshua to conduct them into a more full possession of truth and righteousness. Elijah had been taken into heaven: Elisha remained on earth, the inheritor of his mantle and his spirit!"†

* There appears good reason to doubt this assertion. Thurloe indeed (vii. 372) informs Henry Cromwell that his father named Richard to succeed on the preceding Monday. But this letter was written after the proclamation of Richard, and its contents are irreconcileable with the letters written before it. We have one from lord Falconberg, dated on Monday, saying that no nomination had been made, and that Thurloe had promised to suggest it, but probably would not perform his promise (Ibid. 365), and another from Thurloe himself to Henry Cromwell, stating the same thing as to the nomination (Ibid. 364). It may perhaps be said, that Richard was named on the Monday after the letters were written; but there is a second letter from Thurloe dated on the Tuesday, stating that the protector was still incapable of public business, and that matters would, he feared, remain till the death of his highness, in the same state as he described them in his letter on Monday (Ibid. 366.) It was afterwards said that the nomination took place on the night before the protector's death, in the presence of four of the council (Falconberg in Thurloe, 375, and Barwick, ibid. 415); but the latter adds that many doubt whether it took place at all.

† The Scottish ministers in Edinburgh, instead of joining in these address-

The royalists, who had persuaded themselves that the whole fabric of the protectorial power would fall in pieces on the death of Cromwell, beheld with amazement the general acquiescence in the succession of Richard; and the foreign princes, who had deemed it prudent to solicit the friendship of the father, now hastened to offer their congratulations to his son. Yet, fair and tranquil as the prospect appeared, an experienced eye might easily detect the elements of an approaching storm. Meetings were clandestinely held by the officers; doubts were whispered of the nomination of Richard by his father; and an opinion was encouraged among the military that, as the commonwealth was the work of the army, so the chief office in the commonwealth belonged to the commander of the army. On this account the protectorship had been bestowed on Cromwell; but his son was a civilian, who had never drawn his sword in the cause; and to suffer the supreme power to devolve on him, was to disgrace, to disinherit the men who had suffered so severely and bled so profusely, in the contest.

Discontent of the army.

Sep. 14.

These complaints had probably been suggested, they were certainly fomented, by Fleetwood and his friends, the colonels Cooper, Berry, and Sydenham. Fleetwood was brave in the field but irresolute in council; eager for the acquisition of power, but continually checked by scruples of conscience; attached by principle to republicanism, but ready to acquiesce in every change under the pretence of submission to the decrees of Providence. Cromwell, who knew the man, had raised him to the second command in the army, and fed his ambition with distant and delusive hopes of succeeding to the supreme magistracy. The protector died, and Fleetwood, instead of acting, hesitated, prayed, and consulted: the propitious moment was suffered to pass by: he assented to the opinion of the council in favour of Richard; and then repenting of his weakness, sought to indemnify himself for the loss by confining the authority of the protector to the civil administration, and procuring for himself the sole uncontrolled command of the army. Under the late government the meetings of military officers had been discountenanced and forbidden: now they were encouraged to meet and consult; and, in a body of more than two hundred individuals, they presented to Richard a petition, by which they demanded that no officer should

es, prayed on the following Sunday "that the Lord would be merciful to the exiled, and those that were in captivity, and cause them to return with sheaves of joy; that he would deliver all his people from the yoke of Pharoah, and the task-masters of Egypt, and that he would cut off their oppressors, and hasten the time of their deliverance." Thurloe, vii. 416.

be deprived but by sentence of a court-martial, and that the chief command of the forces, and the disposal of commissions, should be conferred on some person whose past services had proved his attachment to the cause. There were not wanting those who advised the protector to extinguish the hopes of the factious at once by arresting and imprisoning the chiefs; but more moderate counsels prevailed, and in a firm but conciliatory speech, the composition of secretary Thurloe, he replied that, to gratify their wishes, he had appointed his relative, Fleetwood, lieutenant-general of all the forces; but that, to divest himself of the chief command, and of the right of giving or resuming commissions, would be to act in defiance of the "petition and advice," the instrument by which he held the supreme authority. For a short time they appeared satisfied; but the chief officers continued to hold meetings in the chapel at St. James's, ostensibly for the purpose of prayer, but in reality for the convenience of deliberation. Fresh jealousies were excited; it was said that another commander (Henry Cromwell was meant), would be placed above Fleetwood; Thurloe, Pierrepoint, and St. John, were denounced as evil counsellors; and it became evident to all attentive observers that the two parties must soon come into collision. The protector could depend on the armies in Ireland and Scotland. In Ireland, his brother Henry governed without an opponent; in Scotland Monk, by his judicious separation of the troops, and his vigilance in the enforcement of discipline, had deprived the discontented of the means of holding meetings, and of corresponding with each other. In England he was assured of the services of eight colonels, and, therefore, as it was erroneously supposed, of their respective regiments, forming one half of the regular force. But his opponents were masters of the other half, formed a majority in the council, and daily augmented their numbers by the accession of men who secretly leaned to republican principles, or sought to make an interest in that party which they considered the more likely to prevail in the approaching struggle.*

Oct. 14.

From the notice of these intrigues, the public attention was withdrawn by the obsequies of the late protector. It was resolved that they should exceed in magnificence those of any former sovereign, and with that view they were conducted according to the ceremonial observ-

Funeral of Oliver.

* For these particulars see the letters in Thurloe, vii. 386. 406. 413. 5. 434. 6, 7. 3. 447. 450. 2, 3, 4. 462. 490, 1, 2, 3. 5, 6, 7, 8. 500. 510. 511. So great was the jealousy between the parties, that Richard and his brother Henry dared not correspond by letter. "I doubt not all the letters will be opened, which come either to or from your highness, which can be suspected to contain business," 454. For the principles now professed by the levellers, see note [A].

ed at the interment of Philip II. of Spain. Somerset-house was selected for the first part of the exhibition. Sep. 26. The spectators, having passed through three rooms hung with black cloth, were admitted into the funeral chamber; where, surrounded with wax lights, was seen an effigy of Cromwell clothed in royal robes, and lying on a bed of state, which covered, or was supposed to cover, the coffin. On each side lay different parts of his armour: in one hand was placed the sceptre, in the other the globe; and behind the head an imperial crown rested on a cushion in a chair of state. But, in defiance of every precaution, it became necessary to inter the body before the appointed day; and the coffin was secretly deposited at night in a vault at the west end of the middle aisle of Westminster Abbey, under the gorgeous cenotaph which had recently been erected. The effigy was now removed to a more spacious chamber: it rose from a recumbent to an erect posture; and stood before the spectators not only with the emblems of royalty in its hands, but with the crown upon its head. For eight weeks this pageant was exhibited to the public. As the day appointed for the funeral obsequies approached, rumours of an intended explosion during the ceremony were circulated; but guards from the most trusty regiments lined the streets; the Nov. 23. procession, consisting of the principal persons in the city and army, the officers of state, the foreign ambassadors, and the members of the protector's family, passed along without interruption; and the effigy, which in lieu of the corpse was borne on a car, was placed with due solemnity in the cenotaph already mentioned. Thus did fortune sport with the ambitious prospects of Cromwell. The honours of royalty which she refused to him during his life, she lavished on his remains after death; and then, in the course of a few months, resuming her gifts, exchanged the crown for a halter, and the royal monument in the abbey for an ignominious grave at Tyburn.*

Before the reader proceeds to the more important transactions at home, he may take a rapid view of the relations existing between England and foreign states. The war which had so long raged between the rival crowns of France and Spain was hastening to its termination; to Louis the aid of England appeared no longer a matter of consequence; and the auxiliary treaty between the

Foreign transactions.

* Thurloe, vii. 528, 9. Carrington apud Noble, i. 360—9. The charge for black cloth alone on this occasion was 6929*l.* 6*s.* 5*d.* Biblioth. Stow. ii. 448. I do not notice the silly stories about the stealth of the protector's body.

two countries which had been renewed from year to year, was suffered to expire at the appointed time. But in the north of Europe there was much to claim the attention of the new protector: the king of Sweden, after a short peace, had again unsheathed the sword against his enemy, the king of Denmark. The commercial interests of the maritime states were deeply involved in the issue of the contest; both England and Holland prepared to aid their respective allies; and a Dutch squadron joined the Danish, while an English division, under the command of Ayscue, sailed to the assistance of the Swedish monarch. The severity of the winter forced Ayscue to return; but as soon as the navigation of the Sound was open, two powerful fleets were despatched to the Baltic: one by the protector, the other by the States; and to Montague, the English admiral, was entrusted the delicate and difficult commission, not only of watching the proceedings of the Dutch, but also of compelling them to observe peace towards the Swedes, without giving them occasion to commence hostilities against himself. In this he was successful: but no offer of mediation could reconcile the contending monarchs; and we shall find Montague still cruizing in the Baltic at the time when Richard, from whom he derived his commission, will be forced to abdicate the protectorial dignity.*

Aug.

In a few days after the funeral of his father, to the surprise of the public, the protector summoned a parliament. How, it was asked, could Richard hope to control such an assembly, when the genius and authority of Oliver had proved unequal to the attempt? The difficulty was acknowledged; but the arrears of the army, the exhaustion of the treasury, and the necessity of seeking support against the designs of the officers, compelled him to hazard the experiment; and he flattered himself with the hope of success, by avoiding the rock on which, in the opinion of his advisers, the policy of his father had split. Oliver had adopted the plan of representation prepared by the long parliament before its dissolution, a plan which, by disfranchising the lesser boroughs, and multiplying the members of the counties, had rendered the elections more independent of the government: Richard, under the pretence of a boon to the nation, reverted to the ancient system; and, if we may credit the calculation of his opponents, no fewer than one hundred and sixty members were returned from the boroughs by the interest of the court and its sup-

New parliament. Nov. 30.

* Burton's Diary, iii. 576. Thurloe, vol. vii. passim. Carte's Letters, ii. 157—182. Londorp, viii. 636. 708. Dumont, vi. 244. 252. 260.

porters. But to adopt the same plan in the conquered countries of Scotland and Ireland would have been dangerous: thirty representatives were therefore summoned from each; and, as the elections were conducted under the eyes of the commanders of the forces, the members, with one solitary exception, proved themselves the obsequious servants of government.*

Parties in parliament. 1659.

It was, however, taken as no favourable omen, that when the protector, at the opening of parliament, commanded the attendance of the commons in the house of lords, nearly one-half of the members refused to obey. They were unwilling to sanction by their presence the existence of an authority, the legality of which they intended to dispute, or to admit the superior rank of the new peers, the representatives of the protector, over themselves, the representatives of the people. As soon as the lower house was constituted, it divided itself into three distinct parties. 1. The protectorists, about one half of the members, had received instructions to adhere inviolably to the provisions of the "humble petition and advice," and to consider the government by a single person, with the aid of two houses, as the unalterable basis of the constitution. 2. The republicans, who did not amount to fifty, compensated for the deficiency of number by their energy and eloquence. Vane, Hazlerig, Lambert, Ludlow, Nevil, Bradshaw, and Scot, were ready debaters, skilled in the forms of the house, and always on the watch to take advantage of the want of knowledge or of experience on the part of their adversaries. With them voted Fairfax, who, after a long retirement, appeared once more on the stage. He constantly sat by the side and echoed the opinions of Hazlerig; and, so artfully did he act his part, so firmly did he attach their confidence, that, though a royalist at heart, he was designed by them for the office of lord-general, in the event of the expulsion or the abdication of Richard. 3. The "moderates or neuters" held in number the medium between the protectorists and republicans. Of these, some wavered between the two parties; but many were concealed cavaliers, who, in obedience to the command of Charles, had obtained seats in the house, or young men who, without any fixed political principles, suffered themselves to be guided by the suggestions of the cavaliers. To the latter, Hyde had sent instructions, that they should embarrass the plans of the protector, by denouncing to the house the illegal acts

June 27.

* Thurloe, vii. 541. 550. Ludlow, ii. 170. Bethel, Brief Narrative, 340. England's Confusion, p. 4. London, 1659.

committed under the late administration; by impeaching Thurloe and the principal officers of state; by fomenting the dissension between the courtiers and the republicans, and by throwing their weight into the scale, sometimes in favour of one, sometimes of the other party, as might appear most conducive to the interests of the royal exile.*

Recognition of Richard.

The lords, aware of the insecure footing on which they stood, were careful not to provoke the hostility of the commons. They sent no messages; they passed no bills; but, exchanging matters of state for questions of religion, contrived to spend their time in dicussing the merits of a national catechism; the sinfulness of theatrical entertainments; and the papal corruptions supposed to exist in the Book of Common Prayer.† In the lower house, the first subject which called forth the strength of the different parties was a bill which, under the pretence of recognizing Richard Cromwell for the rightful successor to his father, would have pledged the parliament to an acquiescence in the existing form of government. The men of republican principles instantly took the alarm. To Richard personally they felt no objection; they respected his private character, and wished well to the prosperity of his family: but where, they asked, was the proof that the provisions of the "humble petition and advice" had been observed? where the deed of nomination by his father? where the witnesses to the signature? —Then what was the "humble petition and advice" itself? An instrument of no force in a matter of such high concernment, and passed by a very small majority in a house, out of which one hundred members lawfully chosen had been unlawfully excluded. Lastly, what right had the commons to admit a negative voice, either in another house or in a single person? Such a voice was destructive of the sovereignty of the people exercised by their representatives. The people had sent them to parliament with power to make laws for the national welfare, but not to annihilate the first and most valuable right of their constituents. Each day the debate grew more animated and personal: charges were made, and recrimination followed; the republicans enumerated the acts of misrule and oppression under the government of the late protector; the courtiers balanced the account with similar instances from the proceedings of their adversaries during the sway of the long parliament; the orators, amidst the multi-

* Thurloe, i. 766; vii. 562. 604. 5. 9. 615. 6. Clarend. Pap. iii. 423. 4, 5. 8. 432. 4. 6. There were forty-seven republicans; from one hundred to one hundred and forty counterfeit republicans and neuters, seventy-two lawyers, and above one hundred placemen. Ibid. 440.

† Thurloe, 559. 609. 615.

tude of subjects incidentally introduced, lost sight of the original question; and the speaker, after a debate of eight days, declared that he was bewildered in a labyrinth of confusion, out of which he could discover no issue. Weariness at last induced the combatants to listen to a compromise, that the recognition of Richard as protector should form part of a future bill; but that, at the same time, his prerogative should be so limited as to secure the liberties of the people. Each party expressed its satisfaction. The republicans had still the field open for the advocacy of their favourite doctrines; the protectorists had advanced a step, and trusted that it would lead them to the acquisition of greater advantages.* Feb. 14.

From the office of protector, the members proceeded to inquire into the constitution and powers of the other house; and this question, as it was intimately connected with the former, was debated with equal warmth and pertinacity. The opposition appealed to the "engagement," which many of the members had subscribed; contended that the right of calling a second house had been personal to the late protector, and did not descend to his successors; urged the folly of yielding a negative voice on their proceedings to a body of counsellors of their own creation; and pretended to foretel that a protector with a yearly income of 1,300,000*l.*, and a house of lords selected by himself, must inevitably become in the course of a few years master of the liberties of the people. When, at the end of nine days, the speaker was going to put the question, Sir Richard Temple, a concealed royalist, demanded that the sixty members from Scotland, and Ireland, all in the interest of the court, should withdraw. It was, he said, doubtful from the illegality of their election whether they had any right to sit at all; it was certain that, as the representatives of other nations, they could not claim to vote on a question of such high importance to the people of England. Thus another bone of contention was thrown between the parties; eleven days were consumed before the Scottish and Irish members could obtain permission to vote, and then five more expired before the question respecting the other house was determined. The new lords had little reason to be gratified with the result. They were acknowledged, indeed, as a house of parliament for the present; but there was no admission of their claim to the

And of the other house. March 10. March 23. March 28.

* Journals, Feb. 1. 14. Thurloe, 603. 9. 10, 5. 7. Clar. Pap. iii. 424. 6. 9. In Burton's Diary the debate occupies almost two hundred pages, iii. 87—287.

peerage, or of a negative voice, or of a right to sit in subsequent parliaments. The commons consented "to transact business with them" (a new phrase of undefined meaning), pending the parliament, but with a saving of the rights of the ancient peers, who had been faithful to the cause; and, in addition, a few days later they resolved that, in the transaction of business, no superiority should be admitted in the other house, nor message received from it, unless brought by the members themselves.*

April 8.

Charles against the late government.

In these instances, the recognition of the protector and of the two houses, the royalists, with some exceptions, had voted in favour of the court, under the impression that such a form of government was one step towards the restoration of the king. But on all other questions, whenever there was a prospect of throwing impediments in the way of the ministry, or of inflaming the discontent of the people, they zealously lent their aid to the republican party. It was proved that, while the revenue had been doubled, the expenditure had grown in a greater proportion: complaints were made of oppression, waste, embezzlement, and tyranny in the collection of the excise; the inhumanity of selling obnoxious individuals for slaves to the West India planters was severely reprobated; instances of extortion were daily denounced to the house by the committee of grievances; an impeachment was ordered against Boteler accused of oppression in his office of major-general; and another threatened against Thurloe for illegal conduct in his capacity of secretary of state. But while these proceedings awakened the hopes and gratified the resentments of the people, they at the same time spread alarm through the army; every man conscious of having abused the power of the sword, began to tremble for his own safety; and an unusual ferment, the sure presage of military violence, was observable at the head quarters of the several regiments.

* Journals, Feb. 18. Mar. 28; April 5, 6. 8. Thurloe, 615. 26. 30. 36. 40. 47. Clar. Pap. iii. 429. 432. Burton's Diary, iii. 317—69, 403.—84. 510—94; iv. 7—41. 46—147. 163—243. 293. 351. 375.

† Clar. Pap. iii. 429. 32. Thurloe, 647. Burton's Diary, iii. 448; iv. 255. 263. 301. 403. 429. One petition stated that seventy persons, who had been apprehended on account of the Salisbury rising, after a year's imprisonment, had been sold at Barbadoes for "1,550 pounds' weight of sugar a-piece, more or less, according to their working faculties." Among them were divines, officers, and gentlemen, who were represented as "grinding at the mills, attending at the furnaces, and digging in that scorching island, being bought and sold still from one planter to another, or attached as horses or beasts for the debts of their masters, being whipped at the whipping posts as rogues at their master's pleasure, and sleeping in sties worse than hogs in England." Ibid. 256. See also Thurloe, i. 745.

Hitherto the general officers had been divided between Whitehall and Wallingford-house, the residences of Richard and of Fleetwood. At Whitehall, the lord Falconberg, brother-in-law to the protector, Charles Howard, whom Oliver had created a viscount,* Ingoldsby, Whalley, Goffe, and a few others, formed a military council for the purpose of maintaining the ascendancy of Richard in the army. At Wallingford-house, Fleetwood and his friends consulted how they might deprive him of the command and reduce him to the situation of a civil magistrate: but now a third and more numerous council appeared at St. James's, consisting of most of the inferior officers, and guided by the secret intrigues of Lambert, who, holding no commission himself, abstained from sitting among them, and by the open influence of Desborough, a bold and reckless man, who began to despise the weak and wavering conduct of Fleetwood. Here originated the plan of a general council of officers, which was followed by the adoption of "the humble representation and petition," an instrument composed in language too moderate to give reasonable cause of offence, but intended to suggest much more than it was thought prudent to express. It made no allusion to the disputed claim of the protector, or the subjects of strife between the two houses; but it complained bitterly of the contempt into which the good old cause had sunk, of the threats held out, and the prosecutions instituted against the patriots who had distinguished themselves in its support, and of the privations to which the military were reduced by a system that kept their pay so many months in arrear. In conclusion, it prayed for the redress of these grievances, and stated the attachment of the subscribers to the cause for which they had bled, and their readiness to stand by the protector and parliament in its defence.† This paper, with six hundred signatures, was presented to Richard, who received it with an air of cheerfulness, and forwarded it to the lower house. There it was read, laid on the table, and scornfully neglected. But the military leaders treated the house with equal scorn: having obtained consent of the protector, they established a permanent council of general officers; and there, instead of fulfilling the expectations with which they had lulled his jealousy, successively voted, that the common cause was in danger, that the command of the army ought to be vested in a person possessing

The officers petition.

* Viscount Howard of Morpeth, July 20, 1657, afterwards created baron Dacre, viscount Howard of Morpeth, and earl of Carlisle, by Charles II. 30 Ap. 1661.

† "The Humble Representation and Petition, printed by Hills, 1659." Thurloe, 659.

its confidence, and that every officer should be called upon to testify his approbation of the death of Charles I. and of the subsequent proceedings of the military, a measure levelled against the meeting at Whitehall, of which the members were charged with a secret leaning to the cause of royalty.* This was sufficiently alarming; but, in addition, the officers of the trained bands signified their adhesion to the "representation" of the army; and more than six hundred privates of the regiment, formerly commanded by colonel Pride, published their
April 18. determination to stand by their officers in the maintenance of "the old cause."† The friends of the protector saw that it was time to act with energy; and, by their influence in the lower house, carried the following votes: that no military meetings should be held without the joint consent of the protector and the parliament, and that every officer should forfeit his commission who would not promise under his signature never to disturb the sitting or infringe the freedom of parliament. These votes met, indeed, with a violent opposition in the "other house," in which many of the mem-
April 21. bers had been chosen from the military; but the courtiers, anxious to secure the victory, proposed another and declaratory vote in the commons, that the command of the army was vested in the three estates, to be exercised by the protector. By the officers this motion was considered as an open declaration of war; they instantly met; and Desborough, in their name, informed Richard that the crisis was at last come; the parliament must be dissolved, either by the civil authority, or by the power of the sword. He might make his election. If he chose the first, the army would provide for his dignity and support; if he did not, he would be abandoned to his fate, and fall friendless and unpitied.‡

The protector called a council of his confiden-
The parliament dissolved. tial advisers. Whitelock opposed the dissolution, on the ground that a grant of money might yet appease the discontent of the military. Thurloe, Broghill, Fiennes, and Wolseley maintained, on the contrary, that the dissension between the parliament and the army was irreconcile-
April 22. able: and that on the first shock between them the cavaliers would rise simultaneously in the cause of Charles Stuart. A commission was accordingly signed by Richard, and the usher of the black rod repeatedly summoned the commons to attend in the other house. But true to

* Thurloe, 662. Ludlow, ii. 174.

† The Humble Representation and Petition of the Field Officers, etc. of the Trained Bands. London, 1659. Burton's Diary, iv. 388, note.

‡ Thurloe, 655. 7, 8. 662. Burton's Diary, iv. 448—463. 472—480. Ludlow, ii. 176. 8.

their former vote of receiving no message brought by inferior officers, they refused to obey: some members proposed to declare it treason to put force on the representatives of the nation, others to pronounce all proceedings void whenever a portion of the members should be excluded by violence; at last they adjourned for three days, and accompanied the speaker to his carriage in the face of the soldiery assembled at the door. These proceedings, however, did not prevent Fiennes, the head commissioner, from dissolving the parliament; and the important intelligence was communicated to the three nations by proclamation the same afternoon.*

The officer recal the long parliament.

Whether the consequences of this measure, so fatal to the interests of Richard, were foreseen by his advisers, may be doubted. It appears that Thurloe had for several days been negotiating both with the republican and the military leaders. He had tempted some of the former, with the offer of place and emolument, to strengthen the party of the protector: to the latter he had proposed that Richard, in imitation of his father on one occasion, should raise money for the payment of the army by the power of the sword, and without the aid of parliament.† But these intrigues were now at an end: by the dissolution, Richard had signed his own deposition; though he continued to reside at Whitehall, the government fell into abeyance; even the officers, who had hitherto frequented his court, abandoned him; some to appease, by their attendance at Wallingford-house, the resentment of their adversaries; the others, to provide, by their absence, for their own safety. If the supreme authority resided any where, it was with Fleetwood, who now held the nominal command of the army; but he and his associates were controlled both by the meeting of officers at St. James's and by the consultations of the republican party in the city, and therefore contented themselves with depriving the friends of Richard of their commissions, and with giving their regiments to the men who had been cashiered by his father.‡ Unable to agree on any form of government among themselves, they sought to come to an understanding with the republican leaders. These demanded the restoration of the long parliament, on the ground that, as its interruption by Cromwell had been illegal, it was still the supreme authority in the nation; and the officers, unwilling to forfeit the privileges of their new

* Whitelock, 677. England's Confusion, 9. Clarendon Pap. 451. 6. Ludlow, ii. 174. Merc. Pol. 564.

† Thurloe, 659. 661.

‡ See the Humble Remonstrance from four hundred non-commissioned Officers and Privates of Major-general Goffe's Regiment (so called) of Foot. London, 1659.

peerage, insisted on the reproduction of the other house, as a co-ordinate authority, under the less objectionable name of a senate. But the country was now in a state of anarchy; the intentions of the armies in Scotland and Ireland remained uncertain; and the royalists, both presbyterians and cavaliers, were exerting themselves to improve the general confusion to the advantage of the exiled king. As a last resource, the officers invited the members of the long parliament to resume their duties. With some difficulty, two-and-forty were privately collected in the painted chamber; and Lenthall, the former speaker, putting himself at their head, passed into the house through two lines of officers, some of them the very individuals by whom, six years before they had been ignominiously expelled.*

May 6.

May 7.

Rejection of the members formerly excluded.

The reader will recollect that, on a former occasion, in the year 1648, the presbyterian members of the long parliament had also been excluded by the army. Of these, one hundred and ninety-four were still alive, eighty of whom actually resided in the capital. That they had as good a right to resume their seats as the members who had been expelled by Cromwell, could hardly be doubted; but they were royalists, still adhering to the principles which they professed during the treaty in the Isle of Wight; and from their number, had they been admitted, would have instantly outvoted the advocates of republicanism. They assembled in Westminster-hall; and a deputation of fourteen, with sir George Booth, Prynne, and Annesley at their head, proceeded to the house. The doors were closed in their faces; a company of soldiers, the keepers, as they were sarcastically called, of the liberties of England, filled the lobby; and a resolution was passed that no former member, who had not subscribed the engagement, should sit till further order of parliament. The attempt, however, though it failed of success, produced its effect. It served to countenance a belief that the sitting members were mere tools of the military, and supplied the royalists with the means of masking their real designs under the popular pretence of vindicating the freedom of parliament.†

May 7.

May 9.

* Ludlow, 179—186. Whitelock, 677. England's Confusion, 9.

† Journ. May 9. Loyalty Banished, 3. England's Confusion, 12. On the 9th, Prynne found his way into the house, and maintained his right against his opponents till dinner time. After dinner he returned, but was excluded by the military. He was careful, however, to inform the public of the particulars, and moreover undertook to prove that the long parliament expired at the death of the king: 1. on the authority of the doctrine laid down in the law books; 2. because all writs of summons abate by the king's death in parliament; 3. because the parliament is called by a king

By gradual additions, the house at last amounted to seventy members, who, while they were ridiculed by their adversaries with the appellation of the "Rump," constituted themselves the supreme authority in the three kingdoms. They appointed, first a committee of safety, and then a council of state; notified to the foreign ministers their restoration to power; and, to satisfy the people, promised by a printed declaration to establish a form of government, which should secure civil and religious liberty without a single person, or kingship, or house of lords. The farce of addresses was renewed; the "children of Zion," the asserters of the good old cause, clamorously displayed their joy; and heaven was fatigued with prayers for the prosperity and permanence of the new government.*

Acquiescence of the different armies.

That government at first depended for its existence on the good will of the military in the neighbourhood of London; gradually it obtained promises of support from the forces at a distance. 1. Monk, with his officers, wrote to the speaker, congratulating him and his colleagues on their restoration to power, and hypocritically thanking them for their condescension in taking up so heavy a burthen; but, at the same time, reminding them of the services of Oliver Cromwell, and of the debt of gratitude which the nation owed to his family;† 2. Lockhart hastened to tender the services of the regiments in Flanders; and received in return a renewal of his credentials as ambassador, with a commission to attend the conferences between the ministers of France and Spain at Fuentarabia. 3. Montague followed with a letter from the fleet; but his professions of attachment were received with distrust. To balance his influence with the seamen, Lawson received the command of a squadron destined to cruize in the channel; and, to watch his conduct in the Baltic, three commissioners, with Algernon Sydney at their head, were joined with him in his mission to the two northern courts.‡ 4. There still remained the army in Ireland. From Henry Cromwell, a soldier possessing the affection of the military, and believed to inherit the abilities of his father, an obstinate,

regnant; and is *his*, the king regnant's, parliament, and deliberates on *his* business; 4. because the parliament is a corporation, consisting of king, lords, and commons, and if one of the three be extinct, the body corporate no longer exists. See Loyalty Banished, and a True and Perfect Narrative of what was done and spoken by and between Mr. Prynne, etc. 1659.

* See the Declarations of the Army and the Parliament in the Journals, May 7.

† Whitelock, 678.

‡ Thurloe, 669, 670. Ludlow, ii. 199. Journals, May 7. 9. 18. 26. 31.

and perhaps successful, resistance was anticipated. But he wanted decision. Three parties had presented themselves to his choice; to earn, by the promptitude of his acquiescence, the gratitude of the new government, or to maintain by arms the right of his deposed brother, or to declare, as he was strongly solicited to declare, in favour of Charles Stuart. Much time was lost in consultation: at length the thirst of resentment, with the lure of reward, determined him to unfurl the royal standard;* then the arrival of letters from England threw him back into his former state of irresolution; and, while he thus wavered from project to project, some of his officers ventured to profess their attachment to the commonwealth, the privates betrayed a disinclination to separate their cause from that of their comrades in England; and sir Hardress Waller, in the interest of the parliament, surprised the castle of Dublin. The last stroke reduced Henry at once to the condition of a suppliant: he signified his submission by a letter to the speaker, obeyed the commands of the house to appear before the council, and, having explained to them the state of Ireland, was graciously permitted to retire into the obscurity of private life. The civil administration of the island devolved on five commissioners, and the command of the army was given to Ludlow, with the rank of lieutenant-general of the horse.†

June 15.

July 4.

Dissension between parliament and the officers May 15.

But the republican leaders soon discovered that they had not been called to repose on a bed of roses. The officers at Wallingford-house began to dictate to the men whom they had made their nominal masters, and forwarded to them fifteen demands, under the modest title of "the things which they had on their minds," when they restored the long parliament.‡ The house took them successively into consideration. A committee was appointed to report the form of government the best calculated to secure the liberties of the people; the duration of the existing parliament was limited to twelve months; freedom of worship was extended to all believers in the Scriptures and the doctrine of the Trinity, with the usual exception of prelatists and papists; and an act of oblivion, after many debates, was passed, but so encumbered with pro-

* Carte's Letters, ii. 242. Clar. Pap. 500, 501. 516.

† Thurloe, vii. 683. 9. Journals, June 14. 27; July 4. 17. Henry Cromwell resided on his estate of Swinney-abbey, near Soham, in Cambridgeshire, till his death in 1674. Noble, i. 227.

‡ See the Humble Petition and Address of the Officers; printed by Henry Hills, 1659.

visoes and exceptions, that it served rather to irritate than appease.* The officers had requested that lands of inheritance, to the annual value of 10,000*l.*, should be settled on Richard Cromwell, and a yearly pension of 8000*l.* on her "highness dowager," his mother. But it was observed in the house that, though Richard exercised no authority, he continued to occupy the state apartments at Whitehall: and a suspicion existed that he was kept there as an object of terror, to intimate to the members that the same power could again set him up, which had so recently brought him down. By repeated messages, he was ordered to retire; and, on his promise to obey, the parliament granted him the privilege of freedom from arrest during six months; transferred his private debts, amounting to 29,000*l.*, to the account of the nation; gave him 2000*l.* as a relief to his present necessities; and voted that a yearly income of 10,000*l.* should be settled on him and his heirs, a grant easily made on paper, but never carried into execution.† July 12.

The latter obliged to accept new commissions.

But the principal source of disquietude still remained. Among the fifteen articles presented to the house, the twelfth appeared not in the shape of a request, but of a declaration, that the officers unanimously owned Fleetwood as "commander-in-chief of the land forces in England." It was the point for which they had contended under Richard: and Ludlow, Vane, and Salloway, earnestly implored their colleagues to connive at what it was evidently dangerous to oppose. But the lessons of prudence were thrown away on the rigid republicanism of Hazlerig, Sydney, Nevil, and their associates, who contended that, to be silent was to acknowledge in the council of officers an authority independent of the parliament. They undertook to remodel the constitution of the army. The office of lord-general was abolished; no intermediate rank between the lieutenant-general and the colonels was admitted; Fleetwood was named lieutenant-general, with the chief command in England and Scotland, but limited in its duration to a short period, revocable at pleasure, and deprived of several of those powers which had hitherto been annexed to it. All military commissions June 9.

* Declaration of General Council of Officers, 27th of October, p. 5. For the different forms of government suggested by different projectors, see Ludlow, ii. 206.

† Journals, May 19. 25; July 4. 12. 16. Ludlow (ii. 198.) makes the present 20,000*l.*; but the sum of 2000*l.* is written at length in the Journals; May 25. While he was at Whitehall, he entertained proposals from the royalists; consented to accept a title and 20,000*l.* a year, and designed to escape to the fleet under Montague, but was too strictly watched to effect his purpose. Clar. Pap. iii. 475. 477. 8.

were revoked, and an order was made, that a committee of nine members should recommend the persons to be officers in each regiment; that their respective merit should be canvassed in the house; and that those who had passed this ordeal, should receive their commissions at the table from the hand of the speaker. The object of this arrangement was plain: to make void the declaration of the military; to weed out men of doubtful fidelity; and to render the others dependent for their situations on the pleasure of the house. Fleetwood, with his adherents, resolved never to submit to the degradation, while the privates amused themselves with ridiculing the age and infirmities of him whom they called their new lord-general, the speaker Lenthall; but Hazlerig prevailed on colonel Hacker, with his officers, to conform: their example gradually drew others, and, at length, the most discontented, though with shame and reluctance, condescended to go through this humbling ceremony. The republicans congratulated each other on their victory; they had only accelerated their defeat.*

Projects of the royalists.

Ever since the death of Oliver, the exiled king had watched with intense interest the course of events in England; and each day added a new stimulus to his hopes of a favourable issue. The unsettled state of the nation, the dissensions among his enemies, the flattering representations of his friends, and the offers of co-operation from men who had hitherto opposed his claims, persuaded him that the day of his restoration was at hand. That the opportunity might not be forfeited by his own backwardness, he announced to the leaders of the royalists his intention of coming to England, and of hazarding his life in the company of his faithful subjects. There was scarcely a county in which the majority of the nobility and gentry did not engage to rally round his standard: the first day of August was fixed for the general rising; and it was determined in the council at Brussels that Charles should repair in disguise to the coast of Bretagne, where he might procure a passage into Wales or Cornwall; that the duke of York, with six hundred veterans furnished by the prince of Condé, should attempt to land from Boulogne on the coast of Kent; and that the duke of Gloucester should follow from Ostend with the royal army of four thousand men, under the mareschal Marsin. Unfortunately his concerns in England had been hitherto conducted by the council called The Knot, at the head of which was Sir Richard Willis. Willis, the read-

June 4.

* Journals passim. Ludlow, ii. 197. Declaration of Officers, 6. Thurloe, 679. Clarend. Hist. iii. 665.

or is aware, was a traitor; but it was only of late that the eyes of Charles had been opened to his perfidy by Morland, the secretary of Thurloe, who, to make his own peace, sent to the court at Bruges some of the original communications in the writing of Willis. This discovery astonished and perplexed the king. To make public the conduct of the traitor was to provoke him to farther disclosures; to conceal it, was to connive at the destruction of his friends and the ruin of his own prospects. He first instructed his correspondents to be reserved in their communications with "the knot;" he then ordered Willis to meet him on a certain day at Calais; and, when this order was disregarded, openly forbad the royalists to give him information, or to follow his advice.* July 18. Aug 1.

But these precautions came too late. After the deposition of the protector, Willis had continued to communicate with Thurloe, who, with the intelligence which he thus obtained, was enabled to purchase the forbearance of his former opponents. At an early period in July, the council was in possession of the plan of the royalists. Reinforcements were immediately demanded from the armies in Flanders and Ireland; directions were issued for a levy of fourteen regiments of one thousand men each; measures were taken for calling out the militia; numerous arrests were made in the city and every part of the country; and the known cavaliers were compelled to leave the metropolis, and to produce security for their peaceable behaviour. These proceedings seemed to justify Willis in representing the attempt as hopeless; and, at his persuasion, "the knot" by circular letters forbad the rising two days before the appointed time. The royalists were thrown into irremediable confusion. Many remained quiet at their homes; many assembled in arms, and dispersed on account of the absence of their associates: in some counties the leaders were intercepted in their way to the place of rendezvous; in others, as soon as they met, they were sur- July 13. July 29.

* Clar. Pap. iii. 514. 7. 8. 20. 4. 6. 9. 31. 5. 6. Willis maintained his innocence, and found many to believe him. Echard (p. 729) has published a letter with Morland's signature, in which he is made to say that he never sent any of the letters of Willis to the king, or even so much as knew his name; whence Harris (ii. 215) infers that the whole charge is false. That, however, it was true, no one can doubt who will examine the proofs in the Clarendon Papers (iii. 518. 26. 9. 33. 5, 6. 42. 9. 56. 8. 62. 3. 74. 83. 5), and in Carte's Collection of Letters (ii. 220. 56. 84). Indeed, the letter from Willis of the 9th of May, 1660, soliciting the king's pardon, leaves no room for doubt. (Clar. Pap. 643). That Morland was the informer, and, consequently, that the letter in Echard is a forgery, is also evident from the reward which he received at the restoration, and from his own admission to Pepys. See Pepys, i. 79. 92. 133. 8vo.

Rising in Cheshire. Aug. 1.

rounded or charged by a superior force. In Cheshire alone was the royal standard successfully unfurled by Sir George Booth, a person of considerable influence in the county, and a recent convert to the cause of the Stuarts. In the letter which he circulated, he was careful to make no mention of the king, but called on the people to defend their rights against the tyranny of an insolent soldiery and a pretended parliament. "Let the nation freely choose its representatives, and those representatives as freely sit without awe or force of soldiery." This was all that he sought: in the determination of such an assembly, whatever that determination might be, both he and his friends would cheerfully acquiesce.* It was in effect a rising on the presbyterian interest; and the proceedings were in a great measure controlled by a committee of ministers, who scornfully rejected the aid of the catholics, and received with jealousy sir Thomas Middleton, though of their own persuasion, because he openly avowed himself a royalist.

Aug. 2.

It is suppressed.

At Chester, the parliamentary garrison retired into the castle, and the insurgents took possession of the city. Each day brought them a new accession of strength; and their apparent success taught them to augur equally well of the expected attempts of their confederates throughout the kingdom. But the unwelcome truth could not long be concealed; and when they learned that they stood alone, that every other rising had been either prevented or instantly suppressed, and that Lambert was hastening against them with four regiments of cavalry and three of foot, their confidence was exchanged for despair; every gentleman, who had risked his life in the attempt, claimed a right to give his advice; and their counsels, from fear, inexperience, and misinformation, became fluctuating and contradictory. After much hesitation, they resolved to proceed to Namptwich and defend the passage of the Weever; but so rapid had been the march of the enemy, who sent forward part of the infantry on horseback, that the advance was already arrived in the neighbourhood; and, while the royalists lay unsuspicious of danger in the town, Lambert forced the passage of the river at Winnington. In haste, they filed out of Namptwich into the nearest fields; but here they found that their ammunition was still at Chester; and, on the suggestion that the position was unfavourable, hastened to take possession of a neighbouring eminence. Colonel Morgan,

Aug. 16.

Aug. 18.

Aug. 19.

* Parl. Hist. xxiii. 107.

with his troop, attempted to keep the enemy in check: he fell with thirty men; and the rest of the insurgents, at the approach of their adversaries, turned their backs and fled. Three hundred were made prisoners in the pursuit, and few of the leaders had the good fortune to escape. The earl of Derby, who had raised men in Lancashire to join the royalists, was taken in the disguise of a servant. Booth, dressed as a female, and riding on a pillion, took the direct road for London, but betrayed himself at Newton Pagnell by his awkwardness in alighting from the horse. Middleton, who was eighty years old, fled to Chirk castle; and, after a defence of a few days, capitulated on condition that he should have two months to make his peace with the parliament.* Aug. 21. Aug. 24.

The news of this disaster reached the duke of York at Boulogne, fortunately on the very evening on which he was to have embarked with his men. Charles received it at Rochelle, whither he had been compelled to proceed in search of a vessel to convey him to Wales. Abandoning the hopeless project, he instantly continued his journey to the congress at Fuentarabia, with the expectation that, on the conclusion of peace between the two crowns, he should obtain a supply of money, perhaps still more substantial aid, from a personal interview with the ministers, cardinal Mazarin and don Louis de Haro. Montague, who had but recently become a proselyte to the royal cause, was drawn by his zeal into the most imminent danger. As soon as he heard of the insurrection, he brought back the fleet from the Sound in defiance of his brother commissioners, with the intention of blockading the mouth of the Thames, and of facilitating the transportation of troops. On his arrival, he learned the failure of his hopes; but boldly faced the danger, appeared before the council, and assigned the want of provisions as the cause of his return. They heard him with distrust; but it was deemed prudent to dissemble, and he received permission to withdraw.†

Renewal of the late dissension.

To reward Lambert for this complete, though almost bloodless, victory, the parliament voted him the sum of 1000*l.*, which he immediately distributed among his officers. But, while they recompensed his services, they were not the less jealous of his ambition. They remembered how instrumental he had been in raising Cromwell to the protectorate; they knew Aug. 22.

* Clar. Hist. iii. 672—675. Clar. Pap. iii. 673. 4. Ludlow, ii. 223. Whitelock, 683. Carte's Letters, 194. 202. Lambert's Letter, printed for Thomas Neucumb, 1659.

† Journals, Sep. 16. Clar. Pap. iii. 551. Carte's Letters, ii. 210. 236. Pepys, Memoirs, i. 157.

his influence in the army; and they feared his control over the timid wavering mind of Fleetwood, whom he appeared to govern in the same manner as Cromwell had governed Fairfax. It had been hoped that his absence on the late expedition would afford them leisure to gain the officers remaining in the capital; but the unexpected rapidity of his success had defeated their policy; and, in a short time, the intrigue which had been interrupted by the insurrection, was resumed.

Sep. 14. While Lambert hastened back to the capital, his army followed by slow marches; and at Derby the officers subscribed a petition which had been clandestinely forwarded to them from Wallingford-house. In it they complained that adequate rewards were not conferred on the deserving; and demanded that the office of commander-in-chief should be given to Fleetwood without limitation of time, and the rank of major-general to their victorious leader; that no officer should be deprived of his commission without the judgment of a court martial; and that the government should be settled in

Sep. 22. a house of representatives and a permanent senate. Hazlerig, a man of stern republican principles, and of a temper hasty, morose, and ungovernable, obtained a sight of this paper, denounced it as an attempt to subvert the parliament, and moved that Lambert, its author, should be sent to the Tower: but his violence was checked by the declaration of Fleetwood, that Lambert knew nothing of its origin; and the house contented itself with ordering all copies of the obnoxious petition to be delivered up; and with resolving that, "to augment the number of general officers was needless, chargeable, and dangerous."* From that moment a breach was inevitable. The house, to gratify the soldiers, had advanced their daily pay; and, with a view of discharging their arrears, had raised the monthly assessment from 35,000*l.* to 100,000*l.*† But the military leaders were not to be diverted from their

Oct. 5. purpose. Meetings were daily and nightly held at Wallingford-house; and another petition with two hundred and thirty signatures was presented by Desborough, accompanied by all the field officers in the metropolis. In most points it was similar to the former; but it contained a demand that, whoever should afterwards "groundlessly and causelessly inform the house against their servants, thereby creating jealousies, and casting scandalous imputations upon them, should be brought to examination, justice, and condign punishment." This was a sufficient intimation to Hazlerig and his party to provide for their own safety. Three regiments, through the

* Journals, Aug. 23. Sep. 22. 23. Ludlow, ii. 225. 7. 233. 244.
† Journals, May 31; Aug. 18; Sep. 1.

medium of their officers, had already made the tender of their services for the protection of the house; Monk, from Scotland, and Ludlow, from Ireland, wrote that their respective armies were animated with similar sentiments; and a vote was passed and ordered to be published, declaring it to be treason to levy money on the people without the previous consent of parliament; a measure which, as all the existing taxes were to expire on the 1st. day of the ensuing year, made the military dependent for their future subsistence on the pleasure of the party. Hazlerig, thus fortified, deemed himself a match for his adversaries; the next morning he boldly threw down the gauntlet; by one vote, Lambert, Desborough, and seven other colonels were deprived of their commissions for having sent a copy of the petition to colonel Okey; and, by a second, Fleetwood was dismissed from his office of commander-in-chief, and made president of a board of seven members established for the government of the army. Aware, however, that he might expect resistance, the republican chieftain called his friends around him during the night; and, at the dawn of day, it was discovered that King-street and the Palace-yard were in the possession of two regiments of foot and four troops of horse, loudly protesting that they would live and die with the parliament.*

Oct. 11.

Oct. 12.

Oct. 13.

Lambert mustered about three thousand men. His first care was to intercept the access of members to the house, and to prevent the egress of the militia from the city. He then marched to Westminster. Meeting the speaker, who was attended by his guard, he ordered the officer on duty to dismount, gave the command to major Creed, one of his own adherents, and scornfully directed him to conduct the "lord-general" to Whitehall, whence he was permitted to return to his own house. In Westminster, the two parties faced each other; but the ardour of the privates did not correspond with that of the leaders; and, having so often fought in the same ranks, they showed no disposition to imbrue their hands in each others' blood. In the mean time the council of state assembled: on the one side Lambert and Desborough, on the other, Hazlerig and Morley, appeared to support their pretensions; much time was spent in complaint and recrimination, much in hopeless attempts to reconcile the parties; but the cause of the military continued to make converts; the advocates of

Expulsion of the parliament.

* Journals, Sep. 28; Oct. 5. 10. 11, 12. Ludlow, ii. 229. 247. Carte's Letters, ii. 246. Thurloe, vii. 755. Declaration of General Council of Officers, 9—16. True Narrative of the Proceedings in Parliament, Council of of State, etc. published by special Order 1659. Printed by John Redmayne.

the "rump," aware that to resist was fruitless, consented to yield; and it was stipulated that the house should cease to sit, that the council of officers should provide for the public peace, arrange a new form of government, and submit it to the approbation of a new parliament. An order that the forces on both sides should retire to their respective quarters, was gladly obeyed: the men mixed together as friends and brothers, and reciprocally promised never more to draw the sword against each other.*

Government by the council of officers.

Thus a second time the supreme authority devolved on the meeting at Wallingford-house. They immediately established their favourite plan for the government of the army. The office of commander-in-chief, in all its plenitude of power, was conferred on Fleetwood, the rank of major-general of the forces in Great Britain was given to Lambert, and the officers who refused to subscribe a new engagement, were removed from their commands. At the same time they annulled by their supreme authority all proceedings in parliament on the 10th, 11th, and 12th of October, vindicated their own conduct in a publication with the title of "The Army's Plea,"† vested the provisional exercise of the civil authority in a committee of safety of twenty-three members, and denounced the penalties of treason against all who should refuse to obey its orders, or should venture to levy forces without its permission.

Oct. 26.

An attempt was even made to replace Richard Cromwell in the protectorial dignity:‡ for this purpose he came from Hampshire to London, escorted by three troops of horse; but his supporters were outvoted by a small majority, and he retired to Hampton-court.‡

Of all the changes which had surprised and perplexed the

* Whitelock, 685. Journals, Oct. 13. Clar. Pap. iii. 581. 590. Ludlow, ii. 247—251. Ludlow's account differs considerably from that by Whitelock. But the former was in Ireland, the latter present at the council.

† See declaration of the General Council of Officers, 17. The Army's Plea for its Present Practice, printed by Henry Hills, printer to the army, 1659, is in many parts powerfully written. The principal argument is, that as the parliament, though bound by the solemn league and covenant to defend the king's person, honour, and dignity, did not afterwards scruple to arraign, condemn, and execute him because he had broken his trust; so the army, though they had engaged to be true and faithful to the parliament, might lawfully rise against it, when they found that it did not preseve the just rights and liberties of the people. The condition was implied in the engagement; otherwise the making of the engagement would have been a sin, and the keeping thereof would have been a sin also, and so an adding of sin to sin.

‡ Whitelock, 685. 6. Ludlow, ii. 250. 286. 7. Clar. Pap. 591. At the restoration Richard, to escape from his creditors, fled to the continent; and, after an expatriation of almost twenty years, returned to England to the neighbourhood of Cheshunt, where he died in 1713, at the age of eighty-six. Noble, i. 228.

nation since the death of the last king, none had been received with such general disapprobation as the present. It was not that men lamented the removal of the rump: but they feared the capricious and arbitrary rule of the army; and, when they contrasted their unsettled state with the tranquillity formerly enjoyed under the monarchy, many were not backward in the expression of their wishes for the restoration of the ancient line of their princes. The royalists laboured to improve this favourable disposition: yet their efforts might have been fruitless, had the military been united among themselves. But among the officers there were several who had already made their peace with Charles by the promise of their services; and many who secretly retained a strong attachment to Hazlerig and his party in opposition to Lambert. In Ireland, Barrow, who had been sent from Wallingford-house, found the army so divided and wavering, that each faction alternately obtained a short and precarious superiority; and in Scotland, Cobbet, who arrived there on a similar mission, was, with seventeen other officers, who approved of his proposals, imprisoned by order of Monk.*

Opposition of Monk.

From this moment the conduct of Monk will demand a considerable share of the reader's attention. Ever since the march of Cromwell in pursuit of the king to Worcester he had commanded in Scotland; where, instead of concerning himself with the intrigues and parties in England, he appeared to have no other occupation than the duties of his place, to preserve the discipline of his army, and enforce the obedience of the Scots. His despatches to Cromwell form a striking contrast with those from the other officers of the time. There is in them no parade of piety, no flattery of the protector, no solicitation for favours. They are short, dry, and uninteresting, confined entirely to matters of business, and those only of indispensible necessity. In effect, the distinctive characteristic of the man was an impenetrable secrecy.† Whatever were his predilections or opinions, his wishes or designs, he kept them locked up within his own breast. He had no confident, nor did he ever permit himself to be surprised into an unguarded avowal. Hence all parties, royalists, protectorists, and republicans,

* Ludlow, ii. 237. 252. 259. 262. 300. Clar. Pap. iii. 591. Carte's Letters, 266.

† "His natural taciturnity was such that most of his friends, who thought they knew him best, looked upon George Monk to have no other craft in him than that of a plain soldier, who would obey the parliament's orders, and see that his own were obeyed." Price, Mystery and Method of his Majesty's happy Restoration, in Select Tracts relating to the Civil Wars in England, published by Baron Maseres, ii. 700.

claimed him for their own, though that claim was grounded on *their* hopes, not on *his* conduct. Charles had been induced to make to him repeatedly the most tempting offers, which were supported by the solicitations of his wife and his domestic chaplain; and Monk listened to them without displeasure, though he never unbosomed himself to the agents or the chaplain so far as to put himself in their power. Cromwell had obtained some information of these intrigues; but, unable to discover any real ground of suspicion, he contented himself with putting Monk on his guard by a bantering postscript to one of his letters. "'Tis said," he added, there is a cunning fellow in Scotland, called George Monk, who lies in wait there to serve Charles Stuart; pray use your diligence to take him and send him up to me."* After the fall of the protector Richard, he became an object of greater distrust; and, to undermine his power, Fleetwood ordered two regiments of horse attached to the Scottish army to return to England, and the republicans, when the military commissions were issued by the speaker, removed a great number of his officers, and supplied their places with creatures of their own. Monk felt these affronts: discontent urged him to seek revenge; and, when he understood that Booth was at the head of a considerable force, he dictated a letter to the speaker, complaining of the proceedings of parliament, and declaring that, as they had abandoned the real principles of the old cause, they must not expect the support of his army. His object was to animate the insurgents and embarrass their adversaries; but, on the very morning on which the letter was to be submitted for signature to his principal officers, the news of Lambert's victory arrived; the dangerous instrument was instantly destroyed, and the secret most religiously kept by the few who had been privy to the intention of the general.†

His secrecy.

To this abortive attempt Monk, notwithstanding his wariness, had been stimulated by his brother, a clergyman of Cornwall, who visited him with a message from sir John Grenville by commission from Charles Stuart. After the failure of Booth, the general dismissed him with a letter of congratulation to the parliament, but without any answer to Grenville, and under an oath of secrecy both as to his past and to his future projects.‡ But

* Price, 712.

† Price, 711. 716. 721.

‡ All that Grenville could learn from the messenger was, that his brother regretted the failure of Booth, and would oppose the arbitrary attempts of the military in England, an answer which, though favourable as far as it

the moment he heard of the expulsion of the members, and of the superior rank conferred on Lambert, he determined to appear openly as the patron of the vanquished, under the alluring, though ambiguous, title of "asserter of the ancient laws and liberties of the country." Accordingly, he secured with trusty garrisons the castle of Edinburgh and the citadel of Leith, sent a strong detachment to occupy Berwick, and took the necessary measures to raise and discipline a numerous force of cavalry. At Leith was held a general council of officers: they approved of his object, engaged to stand by him, and announced their determination by letters directed to Lenthall, the speaker, to the council at Wallingford-house, and to the commanders of the fleet in the Downs, and of the army in Ireland. It excited, however, no small surprise, that the general, while he thus professed to espouse the defence of the parliament, cashiered all the officers introduced by it into his army, and restored all those whom it had expelled. The more discerning began to suspect his real intentions;* but Hazlerig and his party were too elated to dwell on the circumstance, and, under the promise of his support, began to organize the means of resistance against their military oppressors. Oct. 17.

Monk soon discovered that he was embarked in a most hazardous undertaking. The answers to his letters disapproved of his conduct; and the knowledge of these answers kindled among his followers a spirit of disaffection which led to numerous desertions. From the general of an army obedient to his commands, he had dwindled into the leader of a volunteer force, which it was necessary to coax and persuade. Two councils were formed, one of the colonels of the longest standing, the other of all the commissioned officers. The first perused the public despatches received by the general, and wrote the answers, which were signed by him as the president; the other was consulted on all measures respecting the conduct of the army, and confirmed or rejected the opinion of the colonels by the majority of voices. But if Monk was controlled by this arrangement, it served to screen him from suspicion. The measures adopted were taken as the result of the general will.

went, still left the king in uncertainty as to his real intentions. Clar. Pap. iii. 618.

* Ludlow, ii. 269. Whitelock, 686. 689. 691. Price, 736, 743. Skinner, 106—9. Monk loudly asserted the contrary. "I do call God to witness," he says in the letter to the speaker, Oct. 20, that the asserting of a commonwealth is the only intent of my heart." True Narrative, 28. When Price remonstrated with him, he replied: "you see who are about me and write these things. I must not show any dislike of them. I perceive they are jealous enough of me already." Price, 746.

Lambert sent against him.

To the men at Wallingford-house it became of the first importance to win by intimidation, or reduce by force, this formidable opponent. Lambert marched against him from London at the head of seven thousand men; but the mind of the major-general was distracted by doubts and suspicions, and, before his departure, he exacted a solemn promise from Fleetwood to agree to no accommodation, either with the king or with Hazlerig, till he had previously received the advice and concurrence of Lambert himself.* To Monk, delay was as necessary as expedition was desirable to his opponents. In point of numbers and experience the force under his command was no match for that led by Lambert; but his magazines and treasury were amply supplied, while his adversary possessed not money enough to keep his army together for more than a few weeks. Before the major-general reached Newcastle, he met three deputies from Monk on their way to treat with the council in the capital. As no arguments would induce them to open the negotiation with him, he allowed them to proceed, and impatiently awaited the result.

Nov. 19.

After much discussion, an agreement was concluded in London; but Monk, instead of ratifying it with his signature, discovered, or pretended to discover, in it much that was obscure or ambiguous, or contrary to his instructions; the council agreed with him in opinon; and a second negotiation was opened with Lambert at Newcastle to obtain from him an explanation of the meaning of the officers in the metropolis. Thus delay was added to delay; and Monk improved the time to dismiss even the privates whose sentiments were suspected, and to fill up the vacancies in the regiments of infantry by levies among the Scots. At the same time he called a convention of the Scottish estates at Berwick, of two representatives from each county and one from each borough, recommended to them the peace of the country during his absence, and obtained from

Dec. 6.

them the grant of a year's arrears of their taxes, amounting to 60,000*l.* in addition to the excise and customs. He then fixed his head quarters at Coldstream.†

Parliament restored.

In the mean while, the detention of Lambert in the north by the artifices of Monk had given occasion to many important events in the south. Within the city several encounters had taken place be-

* See the Conferences of Ludlow and Whitelock with Fleetwood. Ludlow, i. 277. Whitelock, 690.

† Price, 741—4. Whitelock, 688. 9. Ludlow, 269. 271. 273. Skinner' 161. 4.

tween the military and the apprentices;* a free parliament had become the general cry; and the citizens exhorted each other to pay no taxes imposed by any other authority. Lawson, though he wavered at first, declared against the army, and advanced with his squadron up the river as far as Gravesend. Hazlerig and Morley were admitted into Portsmouth by the governor, were joined by the force sent against them by Fleetwood, and marched towards London that they might open a communication with the fleet in the river. Alarm produced in the committee of safety the most contradictory counsels. A voice ventured to suggest the restoration of Charles Stuart; but it was replied, that their offences against the family of Stuart were of too black a die to be forgiven; that the king might be lavish of promises, now that he stood in need of their services; but that the revenge of parliament would absolve him from the obligation, when the monarchy should once be established. The final resolution was to call a new parliament against the 24th of January, and to appoint twenty-one conservators of the public peace during the interval. But they reckoned on an authority which they no longer possessed. The fidelity of the common soldiers had been shaken by the letters of Monk, and the declaration of Lawson. Putting themselves under the command of the officers who had been lately dismissed, they mustered in Lincoln's-inn-fields, marched before the house of Lenthall in Chancery-lane, and saluted him with three vollies of musquetry as the representative of the parliament and lord-general of the army. Desborough, abandoned by his regiment, fled in despair towards Lambert; and Fleetwood, who for some days had done nothing but weep and pray, and complain that "the Lord had spit in his face," tamely endeavoured to disarm by submission the resentment of his adversaries. He sought the speaker, fell on his knees before him, and surrendered his commission.†

Dec. 17.

Dec. 24.

Thus the rump was again triumphant. The members, with Lenthall at their head, resumed possession of the house amidst the loud acclamations of the soldiery. Their first care was to establish a committee for the government of the army, and to order the regiments

Its first acts. Dec. 26.

* The ports occupied by the army within the city were "St. Paul's church, the Royall Exchange, Peeter-house in Aldersgate-street, and Bernnet's castle, Gresham coledge, Sion coledge. Without London, were the Musses, Sumersett-house, Whitehall, St. James's, Scotland-yeard." MS. Diary by Thomas Rugge.

† Ludlow, 268. 276. 282. 7. 9. 290. 6. 8. Whitelock, 689. 690. 1. Clar. Pap. 625. 9. 636. 641. 7.

in the north to separate and march to their respective quarters. Of those among their colleagues who had supported the late committee of safety, they excused some, and punished others by suspension, or exclusion, or imprisonment: orders were sent to Lambert and the most active of his associates to withdraw from the army to their homes, and then instructions were given to the magistrates to take them into custody. A council of state was appointed, and into the oath to be taken by the members was introduced a new and most comprehensive abjuration of kingship and the family of Stuart. All officers commissioned during the interruption by any other authority than that of Monk were broken; the army was entirely remodelled; and the time of the house was daily occupied by the continued introduction of officers to receive their commissions in person from the hand of the speaker.*

Monk marches to York.

In the meanwhile, Monk, to subdue or disperse the army of Lambert, had raised up a new and formidable enemy in his rear. Lord Fairfax was become a convert to the cause of monarchy; to him the numerous royalists in Yorkshire looked up as to their leader; and he, on the solemn assurance of Monk, that he would join him within twelve days or perish in the attempt, undertook to call together his friends, and to surprise the city of York. On the first day of the new year, each performed his promise. The gates of York were thrown open to Fairfax by the cavaliers confined within its walls;† and Monk, with his army, crossed the Tweed on his march against the advanced posts of the enemy. Thus the flame of civil war was again kindled in the north: within two days it was again extinguished. A messenger from parliament ordered Lambert's forces to withdraw to their respective quarters; dispirited by the defection of the military in the south, they dared not disobey: at Northallerton, the officers bid adieu with tears to their general; and Lambert retired in privacy to a house which he possessed in the county. Still, though the weather was severe, though the roads were deeply covered with snow, Monk continued his march: and at York, spent five days in consultation with Fairfax; but to the advice of that nobleman, that he should remain there, assume the command of their united forces, and proclaim the king, he replied that, in the present temper of his officers, it would prove a dangerous, a pernicious, experiment. On the arrival of what he had

Jan. 1.

Jan. 12.

Jan. 16.

* Journals, Dec. 26; Jan. 31.

† That the rising under Fairfax was in reality a rising of royalists, and prompted by the promises of Monk, is plain from the narrative of Monkton, in the Lansdowne MSS. No. 988, f. 320. 334. See also Price, 748.

long expected, an invitation to Westminster, he resumed his march, and Fairfax, having received the thanks of parliament, disbanded his insurrectionary force.*

At York, the general had caned an officer who charged him with the design of restoring the kingly government: at Nottingham, he prevented with difficulty the officers from signing an engagement to obey the parliament in all things "except the bringing in of Charles Stuart;" and at Leicester, he was compelled to suffer a letter to be written in his name to the petitioners from Devonshire, stating his opinion that the monarchy could not be re-established, representing the danger of recalling the members excluded in 1648, and inculcating the duty of obedience to the parliament as it was then constituted.† Here he was met by two of the most active members, Scot and Robinson, ordered to accompany him during his journey, under the pretence of doing him honour, but, in reality, to sound his disposition, and to act as spies on his conduct. He received them with respect as the representatives of the sovereign authority; and so flattered were they by his attentions, so duped by his wariness, that they could not see through the veil which he spread over his intentions. As he advanced, he received at every stage addresses from boroughs, cities, and counties, praying him to restore the excluded members, and to procure a free and a full parliament. With much affectation of humility, Monk referred the deputies to the two delegates of the supreme power, who haughtily rebuked them for their officiousness, while the friends of Monk laboured to keep alive their hopes by remote hints and obscure predictions.‡

And thence to London. Jan. 21.

Jan. 23.

To lull the jealousy of the parliament, Monk had taken with him from York no more than five thousand men, a force considerably inferior to that which was quartered in London and Westminster. But from St. Alban's, he wrote to the speaker, requesting that five of the regiments in the capital might be removed before his arrival, alleging the danger of quarrels and seduction, if his troops were allowed to mix with those who had been so recently engaged in rebellion. The order was instantly made; but the men refused to obey. Why, they asked, were they to leave their quarters for the accommodation of strangers? Why were they to be sent from the capital, while their pay was several weeks in arrear? The royalists laboured to inflame the mutineers, and

Mutiny in the capital. Jan. 28.

Feb. 2.

* Price, 749—753. Skinner, 196. 200. 205. Journals, Jan. 6.
† Price, 754. Kennet's Register, 32.
‡ Price, 754. Merc. Polit. No. 604. Philips, 595. Journals, Jan. 16.

Lambert was on the watch, prepared to place himself at their head; but the distribution of a sum of money appeased their murmurs; they consented to march; and the next morning the general entered at the head of his army, and proceeded to the quarters assigned to him at Whitehall.*

Feb. 3.

Monk addresses the house.

Soon after his arrival, he was invited to attend and receive the thanks of the house. A chair had been placed for him within the bar: he stood uncovered behind it; and, in reply to the speaker, extenuated his own services, related the answers which he had given to the addresses, warned the parliament against a multiplicity of oaths and engagements, prayed them not to give any share of power to the cavaliers or fanatics, and recommended to their care the settlement of Ireland and the administration of justice in Scotland. If there was much in this speech to please, there was also much that gave offence. Scot observed that the servant had already learned to give directions to his masters.†

Feb. 6.

As a member of the council of state, he was summoned to abjure the house of Stuart, according to the late order of parliament. He demurred. Seven of the counsellors, he observed, had not yet abjured, and he wished to know their reasons for the satisfaction of his own conscience. Experience had shown that such oaths were violated as easily as they were taken, and to him it appeared an offence against Providence to swear never to acquiesce in that which Providence might possibly ordain. He had given the strongest proofs of his devotion to parliament: if these were not sufficient, let them try him again: he was ready to give more.‡

Ordered to chastise the citizens.

The sincerity of this declaration was soon put to the test. The loyal party in the city, especially among the moderate presbyterians, had long been on the increase. At the last elections the common

* Price, 755. 7, 8. Journ. Jan. 30. Skinner, 219—221. Philips, 594, 5, 6. Clar. Pap. iii. 666. 668. Pepys, i. 19. 21.

† Journals, Feb. 6. New Parl. Hist. iii. 1575. Philips, 597. Price, 759. The lord-general Monk, his Speech. Printed by J. Macock, 1660.

‡ Gamble, 228. Price, 759, 760. Philips, 595. About this time, a parcel of letters to the king, written by different persons in different ciphers, and entrusted to the care of a Mr. Leonard, was intercepted by Lockhart at Dunkirk, and sent by him to the council. When the writers were first told that the letters had been deciphered, they laughed at the information as of a thing impraticable, but were soon undeceived by the decipherer, who sent to them by the son of the bishop of Ely copies of their letters in cipher, with a correct interlineary explanation of each. They were astonished and alarmed; and, to save themselves from the consequences of the discovery, purchased of him two of the original letters at the price of 300*l*. Compare Barwick's Life, 171, and App. 402. 412, 5. 422, with the correspondence on the subject in the Clarendon Papers, iii. 668. 681. 696. 700. 715. After this, all letters of importance were conveyed through the hands of the abbess of the English convent at Ghent.

council had been filled with members of a new character, and the declaration which they issued demanded "a full and free parliament according to the ancient and fundamental laws of the land." Of the assembly sitting in Westminster, as it contained no representative from the city, no notice was taken; the taxes which it had imposed were not paid; and the common council, as if it had been an independent authority, received and answered addresses from the neighbouring counties. This contumacy, in the opinion of the parliamentary leaders, called for prompt and exemplary punishment; and it was artfully suggested that, by making Monk the minister of their vengeance, they should open a wide breach between him and their opponents. Two hours after midnight he received an order to march into the city, to arrest eleven of the principal citizens, to remove the posts and chains which had lately been fixed in the streets, and to destroy the portcullises and the gates. After a moment's hesitation, he resolved to obey rather than hazard the loss of his commission. The citizens received him with groans and hisses; the soldiers murmured; the officers tendered their resignations. He merely replied that his orders left nothing to his discretion; but the reply was made with a sternness of tone, and a gloominess of countenance, which showed, and probably was assumed to show, that he acted with reluctance and with self-reproach.* Feb. 9.

As soon as the posts and chains were removed, Monk suggested, in a letter to the speaker, that enough had been done to subdue the refractory spirit of the citizens. But the parliamentary leaders were not satisfied: they voted that he should execute his former orders; and the demolition of the gates and portcullises was effected. The soldiers loudly proclaimed their discontent: the general, mortified and ashamed, though he had been instructed to quarter them in the city, led them back to Whitehall.† There, on the review of these proceedings, he thought that he discovered proofs of a design, first to commit him with the citizens, and then to discard him entirely. For the house, while he was so ungraciously employed, had received, with a show of favour, a petition from the celebrated Praise-God Barebone, praying that no man might sit in parliament, or hold any public office, who refused to abjure the pretensions of Charles Stuart, or any other single person. Now this was the very case of the general, and his suspicions were confirmed by the reasoning of his confidential advisers. With their aid, a letter to Feb. 10.

* Journ. Feb. 9. Price, 761. Ludlow, ii. 336. Clar. Pap. iii. 674. 691. Gamble, 236. Skinner, 231—7.

† Journ. Feb. 9. Philips, 599.

the speaker was prepared the same evening, and approved the next morning by the council of officers. In it the latter were made to complain that they had been rendered the instruments of personal resentment against the citizens, and to require that by the following Friday every vacancy in the house should be filled up, preparatory to its subsequent dissolution and the calling of a new parliament. Without waiting for an answer, Monk marched back into Finsbury-fields: at his request, a common council (that body had recently been dissolved by a vote of the parliament) was summoned; and the citizens heard from the mouth of the general, that he, who yesterday had come among them as an enemy by the orders of others, was come that day as a friend by his own choice; and his object was to unite his fortune with theirs, and by their assistance to obtain a full and free parliament for the nation. This speech was received with the loudest acclamations. The bells were tolled; the soldiers were feasted; bonfires were lighted; and, among the frolics of the night was "the roasting of the rump," a practical joke which long lived in the traditions of the city. Scot and Robinson, who had been sent to lead back the general to Whitehall, slunk away in secrecy, that they might escape the indignation of the populace.*

He joins with them.

At Westminster, the parliamentary leaders affected a calmness and intrepidity which they did not feel. Of the insult offered to their authority they took no notice; but, as an admonition to Monk, brought in a bill to appoint his rival, Fleetwood, commander-in-chief in England and Scotland. The intervention of the Sunday allowed more sober counsels to prevail. They solicited the general to return to Whitehall; they completed the bill for the qualifications of the candidates and the electors; and, on the day fixed by the letter of the officers, ordered writs to be issued for the filling up of the vacancies in the representation. This measure had been forced upon them; yet they had the ingenuity to make it subservient to their own interest, by inserting a provision in the act, that no man should choose or be chosen who had not already bound himself to support a republican form of government.

Admits the secluded members. Feb. 11.

Feb. 17.

* Price, 765—8. Clar. Pap. iii. 681. 692. 714. Ludlow, 337. Gamble, 249. Skinner, 237—243. Old Parl. Hist. xxii. 94. Pepys, i. 24, 25. "At Strand-bridge I could at one time tell thirty-one fires; in King-street, seven or eight, and all along burning and roasting, and drinking for rumps; there being rumps tied upon sticks and carried up and down. The butchers at the May-pole in the Strand rang a peal with their knives, when they were going to sacrifice their rump. On Ludgatehill there was one turning of the spit that had a rump tied to it, and another basting of it. Indeed it was past imagination." Ibid. 28.

But immediately the members excluded in 1648 brought forward their claim to sit, and Monk assumed the appearance of the most perfect indifference between the parties. At his invitation, nine of the leaders on each side argued the case before him and his officers; and the result was, that the latter expressed their willingness to support the secluded members, on condition that they should pledge themselves to settle the government of the army, to raise money to pay the arrears, to issue writs for a new parliament to sit on the 20th of April, and to dissolve themselves before that period. The general returned to Whitehall: the secluded members attended his summons; and, after a long speech, declaratory of his persuasion that a republican form of government and a moderate presbyterian kirk were necessary to secure and perpetuate the tranquillity of the nation, he exhorted them to go and resume their seats. Accompanied by a great number of officers, they walked to the house; the guards opened to let them pass; and no opposition was made by the speaker or the members.* Haslerig, however, and the more devoted of his adherents, rose, and withdrew—a fortunate secession for the royalists; otherwise, with the addition of those among the restored members who adhered to a commonwealth, they might on many questions have still commanded a majority.† Feb. 21.

To the cavaliers, the conduct of Monk on this occasion proved a source of the most distressing perplexity. On the one hand by introducing the secluded members he had greatly advanced the cause of royalty. For, though Hollis, Pierpoint, Popham, and their friends, still professed the doctrines which they had maintained during the treaty in the Isle of Wight, though they manifested the same hatred of popery and prelacy, though they still inculcated the necessity of limiting the prerogative in the choice of the officers of state and in the command of the army, yet they were royalists by principle, and had, several of them, made the most solemn promises to the exiled king of labouring strenuously for his restoration. On the other hand, that Monk at the very time when he gave the law without control, should declare so loudly in favour of a republican government and a presbyterian kirk, could not fail to alarm both Charles and his abettors.‡ Neither was this the only instance: to all, cavaliers Perplexity of the royalists.

* Journals, Feb. 11. 13. 15. 17. 21. Price, 768—773. Ludlow, ii. 345, 351. 3. Skinner, 256—264. Clar. Pap. 663. 682. 8. Gamble, 260. 3. Philips, 600. The number of secluded members then living was 194, of members sitting or allowed to sit by the orders of the house 89. "A Declaration of the True state of the Matter of Fact," 57.

† Hutchinson, 362.

‡ Clar. Hist. iii. 720, 1. 3, 4. Papers, iii. 698.

or republicans, who approached him to discover his intentions, he uniformly professed the same sentiments, occasionally confirming his professions with oaths and imprecations. To explain this inconsistency between the tendency of his actions and the purport of his language, we are told by those whom he admitted to his private counsels, that it was forced upon him by the necessity of his situation; that, without it, he must have forfeited the confidence of the army, which believed its safety and interest to be intimately linked with the existence of the commonwealth. According to Ludlow, the best soldier and statesman in the opposite party, Monk had in view an additional object, to deceive the suspicions and divert the vigilance of his adversaries; and so successfully had he imposed on the credulity of many (Hazlerig himself was of the number), that, in defiance of every warning, they blindly trusted to his sincerity, till their eyes were opened by the introduction of the secluded membesr.*

Proceedings of the house.

In parliament the presbyterian party now ruled without opposition. They annulled all votes relative to the death of the late king and their own expulsion from the house; they selected a new council of state, in which the most influential members were royalists; they appointed Monk commander-in-chief of the forces in the three kingdoms, and joint commander of the fleet with admiral Montague; they voted him the sum of 20,000*l.* in lieu of the palace of Hampton-court settled on him by the republican party; they discharged from confinement, and freed from the penalty of sequestration, sir George Booth and his associates, a great number of cavaliers, and the Scottish lords taken after the battle at Worcester; they restored the common council, borrowed 60,000*l.* for the immediate pay of the army, declared the presbyterian confession of faith to be that of the church of England, ordered copies of the solemn league and covenant to be hung up in all churches, offered rewards for the apprehension of catholic priests, urged the execution of the laws against catholic recusants, and fixed the 15th of March for their own dissolution, the 25th of April for the meeting of a new parliament.†

March.

Here, however, a serious difficulty arose. The house of commons (according to the doctrine of the secluded members, it could be nothing more) was but a single branch of the legislature. By what right could it pretend to summon a parliament? Ought not the house of lords, the peers who had been

* Price, 773. Ludlow, 449. 355. Clar. Pap. iii. 678. 697. 703. 711.
† Journals, passim.

excluded in 1649, to concur? Or rather, to proceed according to law, ought not the king either to appoint a commission to hold a parliament, as was usually done in Ireland, or to name a guardian invested with such power, as was the practice formerly, when our monarchs occasionally resided in France? But, on this point, Monk was inflexible. He placed guards at the door of the house of lords to prevent the entrance of the peers; and he refused to listen to any expedient which might imply an acknowledgement of the royal authority. To the arguments urged by others, he replied, that the parliament according to law determined by the death of Charles I.; that the present house could justify its sitting on no other ground but that of necessity, which did not apply to the house of lords; and that it was in vain to expect the submission of the army to a parliament called by royal authority. The military had, with reluctance, consented to the restoration of the secluded members; and to ask more of them at present was to hazard all the advantages which had hitherto been obtained.* March 3.

Encouraged by the downfal of the republicans, the royalists throughout the country expressed their sentiments without restraint. In some places Charles was proclaimed by the populace; several ministers openly prayed for him in the churches; the common council, in their address, declared themselves not adverse to his restoration; and the house itself was induced to repeal the celebrated engagement in favour of a commonwealth, without a single person or house of peers, and to embody under trusty officers the militia of the city and the counties, as a counterpoise to the republican interest in the army. The judges of the late king and the purchasers of forfeited property began to tremble. They first tempted the ambition of the lord-general with the offer of the sovereign authority.† And of the general. March 10.

* Clar. Pap. iii. 704. Ludlow, 364, 5. Price, 773.

† Gamble, 270. Two offers of assistance were made to the general, on the supposition that he might aspire to the supreme power, one from the republicans which I have mentioned, another from Bordeaux, the French ambassador, in the name of cardinal Mazarin. On one of these offers he was questioned by sir Anthony Ashley Cooper in the council of state. If we may believe Clarges, one of his secret advisers, it was respecting the former, which he had mentioned to Cooper. To the offer of Bordeaux, he tells us that it was made through Clarges himself, and scornfully rejected by Monk, who nevertheless consented to receive a visit from Bordeaux, on condition that the subject should not be mentioned. Philips, 602. 4. Locke, on the contrary, asserts that Monk accepted the offer of the French minister; that his wife, through loyalty to the king, betrayed the secret; and that Cooper put to the general such searching questions that he was confused, and, in proof of his fidelity, took away the commissions of several officers of whom the council was jealous. Memoirs of the earl of Shaftsbury, in Kennet's Register, 86.

Rejected by him, they appealed to the military; they represented the loss of their arrears, and of the property which they had acquired, as the infallible consequences of the restoration of the royal exile; and they so far wrought on the fears of the officers, that an engagement to oppose all attempts to set up a single person was presented to Monk for his signature, with a request that he would solicit the concurrence of the parliament. A second council of officers was held the next morning; the general urged the inexpediency of troubling the house with new questions, when it was on the point of dissolving itself; and by the address and influence of his friends, though with considerable difficulty, procured the suppression of the obnoxious paper. In a short time he ordered the several officers to join their respective regiments, appointed a commission to inspect and reform the different corps, expelled all the officers whose sentiments he had reason to distrust, and then demanded and obtained from the army an engagement to abstain from all interference in matters of state, and to submit in all things to the authority of the new parliament.*

March 14.

March 15.

Dissolution of the long parliament.

Nineteen years and a half had now elapsed since the long parliament first assembled—years of revolution and bloodshed; during which the nation had made the trial of almost every form of government, to return at last to that form from which it had previously departed. On the 16th of March, one day later than was originally fixed, its existence, which had been illegally prolonged since the death of Charles I., was terminated by its own act.†

March 16.

The reader is already acquainted with its history. For the glorious stand which it made against the encroachments of the crown, it deserves both admiration and gratitude; its subsequent proceedings assumed a more ambiguous character; ultimately they led to anarchy and military despotism. But, whatever were its merits or demerits, of both posterity has reaped the benefit. To the first, we are indebted for many of the rights which we now enjoy; by the second, we are warned of the evils which result from political changes, effected by violence and in opposition to the habits and predilections of the people.

Monk's interview with Grenville.

Monk had now spent more than two months in England, and still his intentions were covered with a veil of mystery, which no ingenuity, either of the royalists or of the republicans could remove. Sir

* Phillips, 603. 6. Price, 781. Kennet's Reg. 113. Thurloe, vii. 852. 9. 870. Pepys, i. 43, Skinner, 279—284.

† Journals, Mar. 16.

John Grenville, with whom the reader is already acquainted, paid frequent visits to him at St. James's: but the object of the cavalier was suspected, and his attempts to obtain a private interview were defeated by the caution of the general. After the dissolution, Morrice, the confidential friend of both, brought them together, and Grenville delivered to Monk a most flattering letter from the king. He received and perused it with respect. This was, he observed, the first occasion on which he could express with safety his devotion to the royal cause; but he was still surrounded with men of hostile or doubtful sentiments; the most profound secrecy was still necessary; Grenville might confer in private with Morrice, and must consent to be himself the bearer of the general's answer. The heads of that answer were reduced to writing. In it Monk prayed the king to send him a conciliatory letter, which, at the proper season, he might lay before the parliament; for himself he asked nothing; he would not name, as he was desired, his reward; it was not for him to strike a bargain with his sovereign; but, if he might obtrude his opinion, he advised Charles to promise a general, or nearly general, pardon, liberty of conscience, the confirmation of the national sales, and the payment of the arrears due to the army. As soon as this paper had been read, he threw it into the fire, and bade Grenville rely on his memory for its contents.* March 19.

By Charles at Brussels the messenger was received as an angel from heaven. The doubts which had so long tormented his mind were suddenly removed; the crown, contrary to expectation, was offered without previous conditions; and nothing more was required than that he should aid with his pen the efforts of the general: but when he communicated the glad tidings to Ormond, Hyde, and Nicholas, these counsellors discovered that the advice, suggested by Monk, was derogatory from the interest of the throne and the personal character of the monarch, and composed a royal declaration, which, while it professed to make to the nation the promises recommended by Monk, in reality neutralized their effect, by subjecting them to such limitations as might afterwards be imposed by the wisdom of parliament. This paper was enclosed within a letter to the speaker of the house of commons; another letter was addressed to the house of lords; a third to

His message to the king. March 26.

* Clar. Hist. iii. 734—6. Price, 785. Philips, 605. Clar. Pap. iii. 706, 711. From the last authorities it is plain that Mordaunt was intrusted with the secret as well as Grenville—also a Mr. Herne, probably a fictitious name.

Monk and the army, a fourth to Montague and the navy; and a fifth to the lord mayor and the city. To the general, open copies were transmitted, that he might deliver or destroy the originals as he thought fit. Notwithstanding the alterations made at Brussels, he professed himself satisfied with the declaration, and ordered Grenville to keep the papers in his custody, till the proper season should arrive.*

April 2.

April 10.

The elections.

In the meanwhile the writs for the new parliament had been issued; and, as there was no court to influence, no interference of the military to control the elections, the result may be fairly taken to express the sense of the country. The republicans, the cavaliers, the presbyterians, all made every effort in their power to procure the return of members of congenial sentiments. Of the three parties, the last was beyond comparison the most powerful, had not division paralyzed its influence. The more rigid presbyterians, though they opposed the advocates of the commonwealth because they were sectaries, equally deprecated the return of the king, because they feared also the restoration of episcopacy. A much greater number, who still adhered with constancy to the solemn league and covenant, deemed themselves bound by it to replace the king on the throne, but under the limitations proposed during the treaty in the Isle of Wight. Others, and these the most active and influential, saw no danger to be feared from a moderate episcopacy; and, anxious to obtain honours and preferment, laboured by the fervour of their present loyalty to deserve the forgiveness of their past transgressions. These joined with the cavaliers; their united efforts bore down all opposition; and, in most places, their adversaries either shrunk from the contest, or were rejected by overwhelming majorities.†

Rising under Lambert.

But the republicans sought for aid in another direction. Their emissaries penetrated into the quarters of the military, where they lamented the approaching ruin of the good old cause, regretted that

* Clar. iii. 737—740. 742—751. Price, 790. Monk had been assured, probably by the French ambassador, that the Spaniards intended to detain the king at Brussels as a hostage for the restoration of Jamaica and Dunkirk. On this account he insisted that the king should leave the Spanish territory, and Charles, having informed the governor of his intention to visit Breda, left Brussels about two hours, if Clarendon be correct, before an order was issued for his detention. The several letters, though written and signed at Brussels, were dated from Breda, and given to Grenville the moment the king placed his feet on the Dutch territory. Clar. 740.

† Thurloe, vii. 866. 887. Price, 787. Carte's Letters, ii. 326. Clar. Pap. iii. 705. 714. 726. 730. 1. 3. It appears that many of the royalists were much too active. "When the complaint was made to Monk, he turned it off with a jest, that, as there is a fanatic party on the one side, so there is a frantic party on the other," 721. 2.

so many sacrifices had been made, so much blood had been shed in vain; and again insinuated to the officers, that they must forfeit the purchases which they had made; to the privates, that they would be disbanded and lose their arrears.* A spirit of discontent began to spread through several corps, and a great number of officers repaired to the metropolis. But Monk, though he still professed himself a friend to republican government, now ventured to assume a bolder tone. The militia of the city, amounting to fourteen thousand men, was already embodied under his command: he had in his pocket a commission from Charles, appointing him lord-general over all the military in the three kingdoms; and he had resolved, should circumstances compel him to throw off the mask, to proclaim the king, and to summon every faithful subject to repair to the royal standard. He first ordered the officers to return to their posts: he then directed the promise of submission to the new parliament to be tendered to the privates, and every man who refused to make it was immediately discharged.† At the same time, the friends of the commonwealth resolved to oppose Lambert, once the idol of the soldiery, to Monk. Lambert, indeed, was a prisoner in the Tower, confined by order of the council; but, with the aid of a rope, he descended from the window of his bedchamber, was received by eight watermen in a barge, and found a secure asylum in the city. But the citizens were too loyal to listen to the suggestions of the party: he left his concealment, hastened into Warwickshire, collected from the discontented regiments six troops of horse and some companies of foot, and expected in a few days to see himself at the head of a formidable force. But Ingoldsby, who, of a regicide, was become a royalist, met him near Daventry with an equal number: a troop of Lambert's men passed over to his opponents; and the others, when he gave the word to charge, pointed their pistols to the ground. The unfortunate commander immediately turned and fled; Ingoldsby followed; the ploughed land gave the advantage to the stronger horse; the fugitive was overtaken, and, after an ineffectual effort to awaken the pity of his former comrade, submitted to his fate. He was conducted back to the Tower, at the time when the trained bands, the volunteers, and the auxiliaries raised in the city, passed in review before the general in Hyde-park. The auxiliaries drank the king's health on their knees; Lambert was at the moment driven under Tyburn; and the spectators hail-

April 9.

April 13.

April 21.

April 24.

* Thurloe, vii. 870.
† Clar. Pap. iii. 715.

ed with shouts and exclamations the disgrace of the prisoner.*

Influence of the cavaliers in the new parliament.

The convention parliament (so it was called because it had not been legally summoned) met on the appointed day, the 25th of April. The presbyterians, by artful management, placed sir Harbottle Grimstone, one of their party, in the chair; but the cavaliers, with their adherents, formed a powerful majority, and the new speaker, instead of undertaking to stem, had the prudence to go along with the stream. Monk sate as representative of Devonshire, his native county.

To neutralize the influence of the cavaliers among the commons, the presbyterian peers who sat in 1648 assembled in the house of lords, and chose the earl of Manchester for their speaker. But what right had they exclusively to constitute a house of parliament? They had not been summoned in the usual manner by writ; they could not sit as a part of the long parliament, which was now at least defunct; and, if they founded their pretensions on their birthright, as consiliarii nati, other peers were in possession of the same privilege. The question was propounded to the lord-general, who replied that he had no authority to determine the claims of any individual. Encouraged by this answer, a few of the excluded peers attempted to take their seats, and met with no opposition: the example was imitated by others, and in a few days the presbyterian lords formed not more than one-fifth of the house. Still, however, to avoid cavil, the peers who sat in the king's parliament at Oxford, as well as those whose patents bore date after the commencement of the civil war, abstained for the present from demanding admission.†

The king's letters delivered.

Monk continued to dissemble. By his direction Grenville applied to a member, who was entering the council-chamber, for an opportunity of speaking to the lord-general. Monk came to the door, received from him a letter, and, recognizing on its seal the royal arms, commanded the guards to take care that the bearer did not depart. In a few minutes Grenville was called in, interrogated by the president as to the manner in which he became possessed of the letter, and ordered to be taken into custody. "That is unnecessary," said Monk, "I find that he is my near kinsman; and I will be security for his appearance."

The ice was now broken. Grenville was treated not as a

* Kennet's Reg. 120. Price, 792. 794. Ludlow, 379. Philips, 607. Clar. Pap. iii. 735.

† L. Journ. xi. 4, 5, 6.

prisoner but a confidential servant of the sovereign. He delivered to the two houses the letters addressed to them, and received in return a vote of thanks, with a present of five hundred pounds. The letter for the army was read by Monk to his officers, that for the navy by Montague to the captains under his command, and that for the city by the lord mayor to the common council in the Guildhall. Each of these bodies voted an address of thanks and congratulation to the king.

The declaration from Breda.

The paper which accompanied the letters to the two houses, 1. granted a free and general pardon to all persons, excepting such as might afterwards be excepted by parliament, ordaining that every division of party should cease, and inviting all who were the subjects of the same sovereign to live in union and harmony: 2. it declared a liberty to tender consciences, and that no man should be disquieted or called in question for differences of opinion in matters of religion which did not disturb the peace of the kingdom; and promised moreover the royal assent to such acts of parliament as should be offered for the full granting of that indulgence: 3. it alluded to the actions at law to which the actual possessors of estates purchased by them or granted to them during the revolution, might be liable, and purposed to leave the settlement of all such differences to the wisdom of parliament, which could best provide for the just satisfaction of the parties concerned: lastly, it promised to liquidate the arrears of the army under general Monk, and to retain the officers and men in the royal service upon the same pay and conditions which they actually enjoyed. This was the celebrated declaration from Breda, the royal charter, on the faith of which Charles was permitted to ascend the throne of his fathers.*

The two houses recal the king.

Encouraged by the bursts of loyalty with which the king's letters and declaration had been received, his agents made it their great object to procure his return to England before limitations could be put on the prerogative. From the lords, so numerous were the cavaliers in the upper house, no opposition could be feared; and the temper already displayed by the commons was calculated to satisfy the wishes of the most ardent champions of royalty. The two houses voted that by the ancient and fundamental laws of the realm the government was and ought to be by king, lords, and commons; they invited Charles to come and receive the crown to which he was born; and, to relieve his more urgent necessities, they sent him a present of 50,000*l.*, with 10,000*l.* for his brother the duke of York,

* L. Journ. xi. 7. 10.

and 5000*l.* for the duke of Gloucester. They ordered the arms and symbols of the commonwealth to be effaced, the name of the king to be introduced in the public worship, and his succession to be proclaimed as having commenced from the day of his father's death.* Hale, the celebrated lawyer, ventured with Prynne to call upon the house of commons to pause in their enthusiasm, and attend to the interest of the nation. The first moved the appointment of a committee to inquire what propositions had been offered by the long parliament, and what concessions had been made by the last king in 1648; the latter urged the favourable opportunity of coming to a mutual and permanent understanding on all those claims, which had been hitherto subjects of controversy between the two houses and the crown. But Monk arose, and strongly objected to an inquiry which might revive the fears and jealousies, the animosities and bloodshed, of the years that were past. Let the king return while all was peace and harmony. He would come alone: he could bring no army with him: he would be as much at their mercy in Westminster as in Breda. Limitations, if limitations were necessary, might be prepared in the interval, and offered to him after his arrival. At the conclusion of this speech, the house resounded with the acclamations of the cavaliers; and the advocates of the inquiry, awed by the authority of the general, and the clamour of their opponents, deemed it prudent to desist.†

Charles was as eager to accept, as the houses had been to vote, the address of invitation. From Breda he had gone to the Hague, where the States, anxious to atone for their former neglect, entertained him with unusual magnificence. The fleet, under Montague,‡ had anchored in the bay of Schevelin; and Charles, as soon as the weather permitted, set sail for Dover, where Monk, at the head of the nobility and gentry from the neighbouring counties, waited to receive the new sovereign. Every eye was fixed on their meeting; and the cheerful, though dignified condescension of the king, and the dutiful, respectful homage of the general, provoked the applause of the spectators. Charles embraced him as his benefactor, bade him walk by his side, and took him into the royal carriage. From Dover to the capital the king's progress bore the appearance of a triumphal proces-

Charles lands at Dover.

May 23. May 25.

* Journals of both houses.

† Burnet, i. 151. Ludlow, iii. 8, 9.

‡ Montague had long been in correspondence with the king, and disapproved of the dissimulation of Monk, so far as to call him in private a "thick-sculled fool;" but thought it necessary to flatter him, as he could hinder the busines. Pepys, i. 69.

sion. The roads were covered with crowds of people anxious to testify their loyalty while they gratified their curiosity. On Blackheath he was received by the army in battle array, and greeted with acclamations as he passed through the ranks: in St. George's fields the lord mayor and aldermen invited him to partake of a splendid collation in a tent prepared for the purpose; from London-bridge to Whitehall the houses were hung with tapestry, and the streets lined by the trained bands, the regulars, and the officers who had served under Charles I. The king was preceded by troops of horsemen, to the amount of three thousand persons, in splendid dresses, attended by trumpeters and footmen; then came the lord mayor, carrying the naked sword, after him the lord-general and the duke of Buckingham, and lastly, the king himself, riding between his two brothers. The cavalcade was closed by the general's life-guard, five regiments of horse, and two troops of noblemen and gentlemen. At Whitehall Charles dismissed the lord mayor, and received in succession the two houses, whose speakers addressed him in strains of the most impassioned loyalty, and were answered by him with protestations of attachment to the interests and liberties of his subjects. It was late in the evening before the ceremonies of this important day were concluded, when Charles observed to some of his confidants, "It must surely have been my fault that I did not come before; for I have met with no one to-day who did not protest that he always wished for my restoration."* May 29. And enters London.

That the re-establishment of royalty was a blessing to the country, will hardly be denied. It presented the best, perhaps the only, means of restoring public tranquillity amidst the confusion and distrust, the animosities and hatreds, the parties and interests which had been generated by the events of the civil war, and by a rapid succession of opposite and ephemeral governments. To Monk belongs the merit of having, by his foresight and caution, effected this desirable object without bloodshed or violence; but to his dispraise it must also be recorded, that he effected it without any previous stipulation on the part of the exiled monarch. Never had so fair an opportunity been offered of establishing a compact between the sovereign and the people, of determining by mutual consent the legal right of the crown, and securing from future encroachment the freedom of the people. That Charles would have consented to such condition, we have sufficient evidence; but

* Whitelock, 702. Kennet's Reg. 163. Clarend. Hist. iii. 772. Clarendon's Life by himself, Continuation, p. 7, 8. Evelyn's Diary, ii. 148.

when the measure was proposed, the lord-general declared himself its most determined opponent. It may have been, that his cautious mind figured to itself danger in delay; it is more probable that he sought to give additional value to his services in the eyes of the new sovereign. But, whatever were the motives of his conduct, the result was, that the king ascended the throne unfettered with conditions, and thence inferred that he was entitled to all the powers claimed by his father at the commencement of the civil war. In a few years the consequence became manifest. It was found that by the negligence or perfidy of Monk a door had been left open to the recurrence of dissension between the crown and the people; and that very circumstance which Charles had hailed as the consummation of his good fortune, served only to prepare the way for a second revolution, which ended in the permanent exclusion of his family from the government of these kingdoms.

CHAP. II.

CHARLES II.

THE NEW COUNCIL.—PROCEEDINGS IN THE CONVENTION PARLIAMENT.—TRIALS AND EXECUTION OF THE REGICIDES.—ECCLESIASTICAL ARRANGEMENTS.—CONFERENCE AT THE SAVOY.—RISING OF THE FIFTH-MONARCHY MEN.—NEW PARLIAMENT.—EXECUTION OF VANE.—CORPORATION ACT.—ACT OF UNIFORMITY.—PARLIAMENT IN SCOTLAND.—EXECUTION OF ARGYLE.—RESTORATION OF EPISCOPACY IN SCOTLAND.—ALSO IN IRELAND.—ACT OF SETTLEMENT.—AND EXPLANATORY ACT FOR IRELAND.

Never, perhaps, did any event in the history of this nation produce such general and exuberant joy as the return of Charles to take possession of the throne of his fathers. To the abolition of monarchy men attributed all the evils which they had suffered: from its restoration they predicted the revival of peace and prosperity. The known enemies of the royal cause slunk away to hide themselves from the effects of popular excitation: its triumph was every where celebrated with the usual manifestations of public joy; and the arms of the commonwealth, with all the emblems of republicanism, were subjected to the foulest indignities and reduced to ashes. To keep alive the flame of loyalty, the royalists circulated in cheap publications most flattering portraits of the new king. He was described as a prince of kindly disposition and engaging manners; of sound judgment and becoming spirit; and, above all, of the most inflexible attachment to the doctrines of protestantism, an attachment which had stood the test of temptation in circumstances the most trying and seductive. That there was some truth in these representations cannot be denied; but one half of the picture was concealed: it should have been added, that he was easy and indolent, the votary of dissipation and pleasure, and always ready to postpone the calls of business for the attraction of the ball-room, or the company of his mistresses. His advisers had persuaded themselves that the follies of the youth would be redeemed by

the virtues of the man. But he had now reached his thirtieth year without amendment. He had, indeed, made promises, had more than once torn himself from the unworthy connexions to which he was enslaved, and had on emergencies displayed an energy deserving of that splendid prize to which he aspired. But these were transient efforts: he quickly relapsed into his former habits, and resumed with new relish the pursuit of enjoyment.

Conduct of the king.

Charles, however, on his arrival, did not suffer himself to be dazzled by the splendid prospect around him. He was aware that his throne still rested on a very insecure foundation; he saw the dangers which he had to avert, and the difficulties which he had to overcome; and he formed a strong, and, as he fancied, unalterable resolution, to devote his chief attention to the business of government, and to suffer no pleasure, no amour, to seduce him from the duties of his high office. His ministers congratulated each other on the change wrought in the habits of their sovereign. But he soon began to feel uneasy under the restraint; he was so beset with difficulties from the never-ceasing claims of the old royalists and of his more recent adherents; he found himself so perplexed by the increasing multitude of affairs submitted to his consideration, that he gradually emancipated himself from the trammels, and sought relaxation in the company of the gay, the witty, and the dissolute. The consequence was, that he not only neglected his duties, but often suffered his mind to be prejudiced against the advice of his council by the sallies and sarcasms of his profligate companions.*

His council.

To an observant eye that council presented a singular assemblage of men, devoted to different parties, and professing opposite principles. In the first place, were seen the royal brothers, James and Henry, who owed the distinction to their birth, with Hyde the chancellor, Ormond the lord-steward, lord Culpepper master of the rolls, and secretary Nicholas, the four counsellors, who had possessed the confidence of the king during his exile. Then came the lord-general, who by his recent conduct had indissolubly bound up his own lot with the fortunes of the house of Stuart, Morris the friend and confidant of the general, and two or three others, whose chief merit was the recommendation of Monk, grounded on the promises which he had made during the late revolution. With these two classes Charles

* Continuation of Clarendon's Life written by himself, 21. 46. 167. Oxford, 1759. In the subsequent pages I shall refer to this work under the name of Clarendon alone. Pepys, Diary, 37. 8vo.

was advised to associate all the surviving counsellors of his late father before the war; a measure which, with a few who had faithfully adhered to the royal interests, introduced several who had maintained the cause of the parliament against that of the crown. It is evident that, on a council thus constituted, the king would look partly with distrust, partly with aversion. A remedy was discovered by the ingenuity of the chancellor, at whose suggestion the council appointed a committee of foreign affairs, consisting of himself, Ormond, Southampton, the lord treasurer, Monk, Nicholas, and Morris. These met for the purpose of considering the relations of the English with the other crowns of Europe; but they employed the opportunity of meeting to debate and decide, without the knowledge of their colleagues, every question concerning the internal administration of the kingdom. The same subjects were, indeed, afterwards submitted to the consideration of the whole council; but Charles had already adopted the opinion of the secret cabinet; and the dissenters were either silenced by the reasoning of the favourite ministers, or overawed by the presence and authority of the sovereign.*

The two houses.

With respect to the two houses, the king had only to speak and his wishes were gratified. As they had recalled him without conditions, so they appeared willing to lay the liberties of the nation at his feet. The cavaliers identified their own triumph with the exaltation of the throne; the presbyterians stood before it as repentant sinners anxious to efface the remembrance of their past delinquency; and the few who were sincerely attached to republican principles deemed it prudent to shelter themselves from notice amidst the crowd, and to echo the more courtly opinions of their colleagues. Fortunately the royal advisers were not disposed, or perhaps afraid, to take the utmost advantage of the general enthusiasm; and, on some occasions, Charles himself condescended to read to the two houses lessons of moderation and prudence.† The most important of their proceedings may conveniently be classed under the following heads.

Confirmation of parliament.

1. The objection which had been raised before their convocation was renewed after the return of the king. They had not been called by the royal writ; they were therefore illegal assemblies, and their acts might hereafter be disputed in the courts of law. The obvious remedy was to dissolve them, and to summon a parliament after the usual manner, which might legalize by

* Clarendon, 2. 27.

† Clarendon 8, 9. Burnet, Hist. of his Own Times, i. 270. Oxford, 1823.

its authority the irregular proceedings of the convention. But this, to the king's advisers, appeared in the existing circumstances a dangerous experiment: they were not disposed to part with a house of commons so obsequious to their wishes; and they preferred to pass an act, declaring that the parliament summoned in the 16th of Charles I. was determined, and that the two houses then sitting at Westminster constituted the two houses of parliament. It might, indeed, be asked, whence an assembly, illegal in its origin, could derive the power of giving to itself a legal existence; but it was hoped that, as long as the convention sate, no man would venture to moot the question; and on its dissolution every defect might be supplied by the authority of the succeeding parliament.*

Grants to the crown.

2. The experience of former years had shown that, to restrain within due limits the pretensions of the crown, it was necessary to keep it dependant on the bounty of the subject; but the houses seemed to have adopted the contrary doctrine: they attributed the calamities which for so many years had afflicted the nation to the scanty provision made for the support of royalty; they found, on inquiry, that the annual expenditure of the last king greatly exceeded his income; and, to prevent the recurrence of the wants which he experienced, and of the illegal expedients to which he had recourse, they raised the yearly revenue of the crown to the unprecedented amount of 1,200,000*l.*

Court of wards abolished.

3. But while they provided for the sovereign, they were not unmindful of their own interest. In the preceding reigns, the proprietors of lands had frequently and zealously sought to abolish tenures by

* St. 12. Car. ii. c. 1. The question, however, was brought forward by Drake, a royalist, under the name of Philips, in a tract called, "The Long Parliament Revived." He founded his opinion chiefly on the act of 17th of Charles I., which provided that the parliament should not be dissolved but by an express act of parliament, and that every thing otherwise done, or to be done, for the dissolving of it should be of none effect. Hence it followed that parliament could never be dissolved but by its own act; and that the arguments of Prynn, which have been already noticed, were of no force: because, though true of an ordinary parliament, they did not apply to one secured from dissolution in this extraordinary manner. Drake was impeached by the commons; but the lords had the prudence to remit the case to the attorney-general to be proceeded with in the ordinary courts of law. See Parl. Hist. vi. 145. 147; and App. i. The court wisely allowed the prosecution to be dropped. If the act of 17th of Charles were construed strictly according to the letter, the long parliament could never be dissolved by any other parliament, because no other meeting before its dissolution could be a legal parliament. It was, therefore maintained that, by the separation of the houses from the king, and the secession or exclusion of so many members, it had fallen to pieces of itself. It had died a natural death. See the tract, "The Long Parliament is not Revived." Ibid. xviii.

knights' service, confessedly the most onerous of the existing feudal burthens; but their attempts were constantly defeated by the monarch and his courtiers, unwilling to resign the benefits of marriages, reliefs, and wardships. Now, however, in this season of reconciliation and mutual concession, the proposal was made and accepted; the terms were arranged to the satisfaction of both parties; and Charles consented to accept a fixed annual income of 100,000*l.* in place of the casual but lucrative profits of the court of wards. Still the transaction did little honour to the liberality of the two houses. They refused to extend the benefit to inferior tenures: and the very act which relieved the lords of manors from the services which they owed to the crown, confirmed to them the services which they claimed from those who held by tenure of copyhold. Neither did they choose to pay the price of the benefit, though it was to be enjoyed by themselves. Originally, the authors of the measure intended to raise the compensation by a tax on the lands which had been relieved: the amount had actually been apportioned to the several counties by the committee, when a member, as it were accidentally, asked why they should not resort to the excise; the suggestion was eagerly caught by the courtiers and many of the proprietors: the injustice of compelling the poor to pay for the relief of the rich, though strongly urged, was contemptuously overlooked; and the friends of the motion, on a division in a full house, obtained a majority of two. In lieu, therefore, of purveyance, military tenures, and their various incidents, fruits and dependences, the produce of one moiety of the excise, a constantly growing and more profitable branch of revenue than the original compensation, was settled on the crown for ever.* Nov 21.

The excise perpetuated.

4. The excise, as the reader will recollect, had been introduced by the parliament to defray the charges of the war against the king. To reconcile the nation to so odious a tax, it was first voted for only a short period; and, though it had been continued ever since by successive grants, an understanding always existed that, as nothing but necessity could justify the imposition, so it should most certainly cease with that necessity. By the last enactment, one half of it was now rendered perpetual; nor was the house slow to dispose of the other. It had taken no measures to raise the revenue to the amount which it had voted: the festival of Christmas approached; the king admonished the members of his intention to dissolve the

* 12 Car. ii. c. 24. C. Journ. May 25; Nov. 8. 19. 21; Dec. 15. 21. Parl. Hist. vi. 146.

parliament; and the houses hastily passed three bills to improve the receipts on wine licences, to regulate the post office, and to grant to the king the second moiety of the excise for his natural life, in full of the yearly settlement of 1,200,000*l.** From that moment, all hope of its extinction vanished; and, in the course of a few reigns, the streamlet has swelled into a mighty river. The excise then produced 300,000*l.*; it now produces 18,000,000*l.* per annum.

Dec. 21.

Disbanding of the army.

5. The existence of the revolutionary army (it amounted in the three kingdoms to more than sixty thousand men) was to the monarch and his ministers a subject of constant anxiety. It had, indeed, contributed to place him on the throne; but it might, with the same ease, precipitate him from it. Monk could no longer answer for its fidelity. When the first ebullitions of loyalty had subsided, many, both officers and privates, began to feel surprise that they had lent themselves to a revolution which must put an end to their accustomed licence and long established importance. The royalists, to whom the lord-general had given commissions, possessed not the confidence of the men; the followers of Lambert in his late unfortunate attempt insinuating themselves into the quarters of the military, called on them to re-assert the good old cause; and unauthorised meetings were held; the death of Monk was planned, and measures were taken to form a general combination among the different corps. In opposition to these attempts, Charles endeavoured to win the affections of the soldiery by the flattering manner in which he spoke of their discipline and loyalty, and the earnestness with which he recommended their services to the gratitude of his parliament; while his ministers, with the aid of a numerous corps of spies, sought out the sowers of sedition, and, under various and feigned pretences, secured their persons. In both houses, members were instructed to represent the uselessness of so numerous a force in a time of profound peace, the expense which it had already entailed, and the annual amount which it would continue to entail, on the nation. No opposition was offered to the motions with which they concluded. By suc-

* C. Journ. Nov. 27; Dec. 21. In the debate on the post office bill, an amendment was proposed to exempt from the charge of postage all letters to and from members of the house of commons, "sitting the parliament," on the ground that they had as good a right to that indulgence as the privy counsellors by whom it was enjoyed. Though the amendment was stigmatized as beneath the dignity of the house, and fit only for mendicants, though the speaker declared that he was ashamed to put the question, it was carried. The lords, however, rejected it, and the commons acquiesced. Journ. of Com. Dec. 17. Parl. Hist. 163.

cessive grants, provision was made to liquidate all arrears: regiment after regiment was disbanded; and the measure was conducted with such attention to the wants and feelings of the men, that it was accomplished without exciting mutiny or public expressions of discontent.*

Bill of indemnity.

6. The proceedings on this subject were tediously protracted by the controversy between the two houses on the bill of indemnity. In his declaration from Breda, Charles had promised a general pardon, subject to such exceptions as might be suggested by the wisdom of parliament. The moment the question was brought forward, a wonderful diversity of opinion was observed. Every member had some friend whom he wished to shield from punishment, or some enemy whom he sought to involve in it: considerations of interest or relationship, of friendship or revenge, weighed more than the respective merits of the parties; and distinctions were made and resolutions passed, for which it was difficult to account on any rational grounds. At last, the bill was transmitted from the commons to the lords, who, as their sufferings had in general been more severe, betrayed a more vengeful spirit. The chief points in discussion between the houses were, that the lords sought to include, in one sweeping clause of condemnation, all persons who ever sate in judgment on any royalist prisoners in a high court of justice; and that they refused all hope of mercy to nineteen of the king's judges who had surrendered themselves in consequence of a royal proclamation. By a clause in that instrument, the disobedient were threatened with exception from pardon both as to life and property: whence the commons inferred that the obedient had reason to expect such exception in their favour; while the lords contended that they had only a right to trial before a court of justice, whereas those who disobeyed might be condemned for contumacy. Charles, by repeated messages, advised moderation and clemency. It was evident that the commons had adopted the more rational explanation: the lords at last relented; the other house met them by receding from some of its pretensions; and the act, after a long contest, received the royal assent. It declared, in the first place, that all injuries and offences against the crown or individuals, arising out of quarrels between political parties since the 1st of June, 1637, should be and were forgiven: then came the exceptions: 1. of fifty-one individuals actually concerned in the death of the king's father; 2. of Vane and Lambert; 3, of lord Monson, Haslerig, and five others, as far as regarded liberty and pro-

* St. 12. Car. ii. c. 9. 15, 16. 21. Clarendon, 10, 11. Burnet, i. 274.

perty; 4, of all judges in any high court of justice; and of Hutchinson, Lenthall, St. John, and sixteen others by name, as to eligibility to hold office, civil, military, or ecclesiastical. With respect to the case of the nineteen regicides who had voluntarily surrendered, it was yielded to the lords that they should be tried for their lives; and, in return, was conceded to the commons, that they should not be executed without a subsequent act of parliament to be passed expressly for that purpose.*

By most men, this general pardon was hailed as a national blessing, calculated to heal dissension and restore tranquillity; by the great body of the cavaliers, it was received with murmurs and complaints. It disappointed their fondest hopes: they saw themselves left by it the victims of their loyalty, without redress for the injuries which they had received, or relief from the poverty to which they had been reduced; while, in numerous instances, their more fortunate neighbours of the republican party continued to revel in the undisturbed enjoyment of their new-gotten wealth, the fruit and reward of rebellion and injustice. With truth, they exclaimed, may it be called an act of oblivion and indemnity; but of oblivion of loyalty, and indemnity for treason.

Fate of the regicides.

7. Their discontent received some alleviation from the tragedy which followed. For years it had been sedulously impressed on the mind of Charles, that, as a son, he could never pardon the murder of his father; as a sovereign, he ought not to connive at the public execution of a king. To punish the regicides was, in his opinion, a sacred and indispensable duty; and the exceptions established by the late act afforded him ample scope for the exercise of justice, or the gratification of revenge. Five-and-twenty out of the original number had indeed been already removed by death beyond the reach of any earthly tribunal, and nineteen had crossed the sea to escape the fate which awaited them in their native country.† Still twenty-nine re-

* Journals of both Houses. St. 12, Car. ii. c. xi. Clarendon, 69.

† Three of these, Whaley, Goff, and Dixwell, secreted themselves in New England, where they passed their lives in the constant fear of being discovered by the officers of government. There is an interesting account of their adventures in Hutchinson's History of Massachuset's Bay, and in the history of these "Most Illustrious and Heroic Defenders of Liberty," published by Ezra Styles, S. T. D. LL.D. President of Yale College, Hartford, U. S. 1794. Three others, Corbet, Okey, and Berkstead, were apprehended in Holland, at the instance of Downing, and given up by the States, as an atonement for their former treatment of the king during his exile. They suffered under the act of attainder, on the 19th of April, 1662. Ludlow, iii. 82. State Trials, v. 1301—35. Pepys, i. 252. 8. Others sought refuge in Switzerland, where they believed themselves to be in constant danger of assassination from emissaries hired by the English court. Ludlow, iii. 113—134.

mained, all in custody, and several of them as deeply tinged with the blood of the late king, and as criminal in the eyes of the royal party, as the most obnoxious of their fellows. The fugitives were attainted by act of parliament; the prisoners were arraigned before a court of thirty-four commissioners.

There was much in the composition of this court to interest the curiosity of the spectators, and to agitate the feelings of the unhappy men at the bar. That cavaliers should sit in judgment on those who had brought the king to the block, might have been expected; but by the side of the chancellor, and Southampton, and Nicholas, were seated Manchester and Robartes, two of the parliamentary commanders, Say and Hollis, the parliamentary leaders, Atkins and Tyrrel, parliamentary judges, Monk and Montague, two of Cromwell's lords, and Cooper, one of his most trusty advisers. These men, if they had not actually dipped their hands in the king's blood, had been deeply engaged in the transactions which led to his death, or had powerfully supported the several revolutionary governments, which excluded his son and successor from the throne. For such offences they might, in other circumstances, have had to plead for their lives; but they had made professions of repentance, and had been selected to discharge this ungracious task that they might display both the extent of the royal clemency, and the sincerity of their own conversion.

Most of the prisoners sought to deserve mercy by the ingenuous and sorrowful acknowledgment of their crime: the others alleged in their justification, that they bore no personal malice to the royal victim: that they looked on his death as a solemn act of national justice, and that they proceeded under the sanction of that authority which then exercised the supreme power in the nation. To the second of these pleas the court refused to listen: to the first it was replied, that in law the fact afforded sufficient evidence of the malice; and, to the last, that an irregular and unlawful meeting of twenty-six persons, pretending to represent the commons of England, could not be considered as the supreme authority in the nation.

All were found guilty, and received judgment of death; but the execution of those who had voluntarily surrendered themselves was respited, according to the act of indemnity, for the subsequent consideration of parliament. The ten selected to suffer were Harrison, Scot, Carew, Jones, Clements, Scroop, who had subscribed the fatal warrant; Cook, who acted as solicitor on the trial; Axtele and Hacker, two military officers who guarded the royal prisoner; and Peters, the minister, whose fervid and in- Executions.

temperate eloquence had been so often employed to prepare and support the actors in that remarkable tragedy. The language of these men, both in the court and after their condemnation, exhibited traits of the wildest fanaticism. For the justice of their cause they appealed to the victories which the Lord had given to their swords; to their bibles, which inculcated the duty of shedding the blood of him who had shed the blood of his fellow men: and to the spirit of God which had testified to their spirit that the execution of Charles Stuart was a necessary act of justice, a glorious deed, the sound of which had gone into most nations, and a solemn recognition of that high supremacy which the King of heaven holds over the kings of the earth.

Similar sentiments supported and cheered them on the scaffold. When they were told to repent, they replied that of their sins they had repented, and of forgiveness they were assured. But they dared not repent of their share in the death of the late king: for to repent of a good deed was to offend God. They were proud to suffer for such a cause. Their martyrdom would be the most glorious spectacle which the world had ever witnessed since the death of Christ. But let the persecutors tremble: the hand of the Lord was already raised to avenge their innocent blood; and in a short time the cause of royalty would crouch before that of independence. They uttered the prediction with the confidence of prophets,* and submitted to their fate with the constancy of martyrs. Peters alone appeared to shrink from the approach of death. The exhortation of his fellow sufferers revived his courage: a strong cordial braced his nerves; and he mustered sufficient resolution to say that he gloried in the cause, and defied the executioner to do his worst.†

Punishment of the dead.

These examples did not satisfy the resentment of the royalists, who lamented as a misfortune that the most odious of the regicides had by a natural death escaped the fate of their associates. It was true they were attainted; but the attainder affected all alike; while the greater guilt of some called for more particular proofs of public reprobation. Revenge is ingenious: history could furnish instances of punishment inflicted on the remains

* And the prediction was believed. From the Diary of Whaley, Goff, and Dixwell it appears that they looked on the execution of the regicides as the slaying of the witnesses foretold in the Book of Revelations, and that the prediction of a revolution in their favour was to be fulfilled in the mysterious year 1666. The year passed, and their hopes were disappointed; but they consoled themselves with the persuasion that there was an error in the date of the Christian era, and that the accomplishment of the prophecy would speedily arrive. See Howell's State Trials, v. 1362.

† Ibid. 947—1301.

of the dead; and in obedience to an order of the two houses, approved by the king, the bodies of Cromwell, Bradshaw, and Ireton, having been removed from their graves, were drawn on hurdles to Tyburn, taken out of their coffins, and hung at the three corners of the gallows on the anniversary of the death of Charles I., the day chosen for this expiatory ceremony. In the evening they were cut down and decapitated; the heads fixed on the front of Westminster-hall, and the trunks thrown into a pit at the place of execution. To the cavaliers this revolting exhibition afforded a subject of merriment and pleasantry: it met with the deserved reprobation of every man of sensibility and judgment. It was an outrage against the common feelings of humanity, and could contribute nothing to the only real end of public punishment—the prevention of crime. The man who dares to stake his life on the pursuit of his object, will not be deterred by the fear of mutilation or suspension after death.*

Revolution in landed property.

8. Since the year 1642 a considerable portion of the landed property in every county had passed from the hands of the original owners into the possession of new claimants; and it was on this important consideration that the founders of the commonwealth rested their principal hope of its subsequent stability. Hundreds of their adherents had by the revolution been raised in the scale of society; they were become invested with the wealth and influence that originally belonged to their superiors; and it was their interest to oppose with all their power the return of a system which would reduce them to poverty and insignificance. Charles, in his declaration from Breda, touched on the subject in guarded and measured terms: "he "was willing that all controversies in relation to grants, sales, "and purchases, should be determined in parliament, which "could best provide for the just satisfaction of all who were "concerned." Parliament, however, made no such provision. It confirmed, indeed, as a measure of tranquillization, the judicial decisions which had been given in the court of law and equity; but the royal promise respecting the transfer of property by grants and sales was forgotten; and, in consequence, no relief was afforded to two numerous classes of men

* Lord's Journals, xi. 205. Kennet's Reg. 367. Though Pride was included in the order, his body was not disturbed. Afterwards (1661, Sep. 12, 14,) about twenty bodies of persons buried in Henry VII.'s chapel, and the church of Westminster, were disinterred by the king's order, and buried again in the church-yard. Among these were the remains of Cromwell's mother, of his daughter Elizabeth Claypole, of admiral Blake, and of colonel Mackworth, who had been interred in the chapel, and of Pym, Dorislaus, Stroud, May the historian, Twiss and Marshall, divines, and of several others, buried in the church. Kennet, 534. Neal, 619.

belonging to the opposite parties. 1. At the very commencement of the civil troubles many royalists disposed of a portion or the whole of their estates, that they might relieve the pecuniary wants of the king, or enable themselves to raise men, and serve in the royal armies; and at its conclusion all of them were compelled to have recourse to similar measures, that they might discharge their debts, and pay the heavy fines imposed on them by order of the revolutionary governments. That these men had strong claims on the gratitude and pity of the king and parliament, could not be denied; but these claims were neglected; the sales had been effected with their consent, they were bound by their own acts, and consigned to murmur in penury and despair. 2. The lands belonging to the crown, to the bishops, deans and chapters, and to a few distinguished cavaliers, had been granted away as rewards, or sold to the highest or the most favoured bidder. These were now reclaimed: forcible entries were made; and the holders, as they were not allowed to plead a title derived from an usurped authority, were compelled to submit to superior right or superior power. To the argument that they were, the most of them, bonâ fide purchasers, it was truly replied that they had taken the risk with the benefit: but when they appealed to the "just satisfaction" promised in the royal declaration from Breda, Charles himself blushed at the rigour of his officers and adherents. By proclamation he recommended measures of lenity and conciliation; he advised that the revolutionary purchasers should be admitted as tenants on easy fines; and, at the united request of the two houses, he established a commission to arbitrate between the contending parties. The consequence, however, was that, while the purchasers of the crown lands were in general permitted to remain in possession, the purchasers of the church lands were in numerous instances treated with extreme severity. The incumbents had themselves suffered hard measure; they were old, and therefore anxious to provide for the support of their families after them; and, instead of attending to the royal recommendation, they made no distinction among the bidders, but selected for tenants those individuals who made them the most advantageous offers.*

Ecclesiastical arrangement.

9. During the first period of the revolution, the presbyterian ministers had obtained possession of the parish churches; but their orthodoxy was not less intolerant than that of their predecessors, and they pursued with equal violence the theological offences of

* St. 12. Car. ii. c. 17. Kennet's Reg. 312. Clarendon, 188. Harris. iv. 345.

schism and heresy. Still, in defiance of their zeal sectarianism continued to spread; by degrees, the civil and military authority passed into the hands of the independents; the presbyterians, in proportion as their power declined, turned their eyes towards the exiled prince; and their ministers, as far as prudence would permit, acted the part of zealous and successful missionaries in his favour. Now that Charles had recovered the crown, was he to expel from their livings the men from whom he had received these services; or was he to protect them, and leave the episcopal clergy to pine in deprivation and want? The first savoured of ingratitude; it was moreover pregnant with danger. It might provoke the presbyterian members, the majority of the house of commons, to oppose the court; a thousand pulpits might join in advocating the duty of resistance; and the smouldering embers of civil war might be easily fanned into a flame by the breath of the preachers. On the other hand, he was led by principle, and pledged in honour, to restore that hierarchy, in defence of which his father had forfeited his crown and his life. This was loudly demanded by the cavaliers, and was represented by Hyde as providing the surest bulwark for the throne. Charles did not hesitate: the kirk was sacrificed to the church; and every difficulty was surmounted by the singular address of the ministers, joined with the engaging manner and real or affected moderation of the monarch.

Royal declaration.

That the dominion of the ancient laws had returned with the representative of the ancient kings, was a principle which no one ventured to contradict; but a principle, which taught the votaries of the "solemn league and covenant" to tremble for the idol of their worship, and threatened the presbyterian clergy with the loss of their livings. Their chief reliance was placed on the declaration from Breda, which promised the royal assent to an act of parliament for composing differences in religion, and on the services of their brethren who formed a powerful body in the house of commons. But Charles and his politic adviser had no intention to redeem the royal pledge, or to entrust the decision of this important question to the doubtful orthodoxy of the two houses. The number of the bishops, who had been reduced to nine, was filled up by successive nominations; the survivors of the sequestrated clergy were encouraged to re-enter on their benefices, or to accept a composition from the holders; and the heads of the universities received a royal mandate to restore to their colleges the ejected fellows. At the same time, to lull the apprehensions of the presbyterians, offers of bishoprics were made to the most eminent or moderate of the ministers; ten obtained the no-

minal honour of being chaplains to the king, and all were confirmed in the possession of their benefices, where the legal claimant was dead, or neglected to enforce his right. But these measures excited alarm: a bill for the settlement of religion was brought into the house of commons; and a resolution was passed that the question should be considered in a "grand committee on every successive Monday." Hyde, in opposition, issued instructions to the friends of the court and the church; they laboured zealously to perplex and protract the proceedings: two long and animated debates called forth the passions of the speakers; and at last the sitting of the committee was suspended for three months that the king might have time to consult the divines of both communions.* For this purpose, papers were exchanged between certain of the bishops and a select number of ministers. On points of doctrine, they scarcely differed; but one party contended warmly for the model of episcopal government formerly devised by archbishop Usher, which the latter absolutely rejected as offering only another name for the establishment of the presbyterian system.† The disagreement had been foreseen;

Oct. 22. and Charles was advised to interpose as moderator between the disputants. He laid before them the draft of a royal declaration from the pen of the chancellor,

Oct. 25. solicited their observations on its provisions, and offered to adopt any reasonable amendment. In a few days, it was published. It gave due praise both to the orthodox and the presbyterian clergy; avowed the king's attachment to episcopacy, but with his conviction, that it might be so modified as, without impairing its real character, to remove the objections brought against it: and for that purpose it enjoined, 1. with respect to jurisdiction, that no bishop should exercise any illegal or arbitrary authority; or pronounce ecclesiastical censures, or celebrate ordinations without the assistance and advice‡ of his chapter and of an equal

* Clarendon, 74. Journal of Com. July 6. 20, 21. "The committee sat an hour in the dark before candles were suffered to be brought in, and then they were twice blown out; but the third time they were preserved, though with great disorder, till at last about ten at night it was voted," etc. MS. Diary of a Member, in Parl. Hist. vi. 79. 82.

† Neal, ii. 568—75. It proposed that the several deans should hold monthly synods of the clergymen under their jurisdiction; the bishops, yearly synods of those within their dioceses; and the archbishops, every third year synods of the bishops and deputies from each diocese within their respective provinces: but in all these, the presidents were to possess no superior authority, but only to be considered as primi inter pares. See the scheme in the History of Non-conformity, 339—344.

‡ Instead of *advice* the presbyterians moved for the substitution of the word *consent*. Charles refused; and, when a passage from the εικων βασιλικη

number of presbyters deputed by the clergy of the diocese, or confirm in any church without the information and consent of the minister; and 2. with regard to the religious scruples of the presbyterians, that the reading of the liturgy, the observance of the ceremonies, the subscription to *all* the thirty-nine articles, and the oath of canonical obedience, should not be exacted from those who objected to them through motives of conscience.*

These important concessions were received with joy and gratitude by the party. A meeting of London ministers declared that episcopacy, thus reformed and improved, was a different thing from the episcopacy against which they had protested in the covenant; and their celebrated leader, Dr. Reynolds, whether his scruples were really silenced, or the restraint on his ambition only removed, signified his acceptance of the bishopric of Norwich. Yet the declaration, while it kept the word of promise to the ear, contained a passage which tended to break it to the hope: it alluded to a synod to be convened, when the passions of men should be cooled, that the question might be fairly and finally settled. The presbyterians had no inclination to depend on the uncertain decision of some future synod: they sought a permanent, not a temporary arrangement; and, in a committee of the house of commons, with serjeant Hales at its head, a bill was formed for the purpose of converting the royal declaration into a law. Hyde saw that his own arts were directed against himself: he removed Hales from the house, to take his seat in the exchequer as lord chief baron; the dependents of the court received instructions to vote against the bill; secretary Morris opposed it in a long though moderate speech; and, on a motion that it should be read a second time, it was rejected by a majority of twenty-eight in a house of three hundred and forty members. Shortly afterwards the convention parliament was dissolved.†

Policy of the chancellor.

Nov. 6.

Nov. 28.

Dec. 29.

was objected, hastily replied: "all that is in that book is not gospel." Kennet, Reg. 283.

* L. Journ. xi. 179. Neal, ii. 575—80. Originally it was intended to permit all persons "to meet for *religious worship*, so be it, they do it not to the disturbance of the peace." But the presbyterians were not sufficiently liberal to allow to others what they demanded for themselves. Baxter distinguished between *tolerables* and *intolerables*. The papists and socinians were intolerables: their *worship* could not conscientiously be suffered; and, to satisfy the party, the clause was changed into a promise that no man should be disturbed for "difference of *opinion* in matters of religion." Kennet, Reg. 280. Oldmixon, 488.

† Clarendon, 76. Journals of Com. Nov. 28. Parl. Hist. vi. 141. 152. I may observe that, on this occasion Charles exercised his pretension of

That, notwithstanding the general demonstration of loyalty, there were many who secretly lamented the ruin, and ardently sought the restoration, of the republican government, could not be doubted. The royal ministers were placed in a situation in which even a superfluous degree of vigilance or severity might be vindicated, or, at least, excused on account of the probability of danger. But, while they secured the more prominent and suspicious characters, such as Overton, Desborough, Day, and Courtenay, they appear to have overlooked or despised a conventicle of fanatics in Coleman street, under the guidance of a wine-cooper, named Venner. The king was gone to Portsmouth in company with the queen mother; and, on the afternoon of the following Sunday, Venner called on his hearers not to pray but to act, to take up arms in the cause of their King Jesus, to whom alone allegiance was due, and never to sheathe the sword till Babylon should be made a hissing and a curse. To raise their courage, the enthusiast held out to them the conquest of the whole world: they should first lead captivity captive in England; from England, proceed to possess the gates of the earth; and then bind kings in chains and nobles in fetters of iron. What, if they were few in number, not more than sixty? They would fight for him who had promised that one should chase a thousand, and two put ten thousand to flight. Arms had been prepared: the soldiers of the heavenly King hastened to St. Paul's, drove before them some of the trained bands, traversed the city, and withdrew, during the night, to Cane wood, between Highgate and Hampstead. The next morning, about thirty were apprehended by the military, and a persuasion existed that the remainder had dispersed; but on Wednesday they were seen in different streets hastening towards the residence of the lord mayor, and exclaiming, "the King Jesus and their heads upon the gates." More fanatics had joined them: several rencontres took place with the guards and the trained bands: and the injury which they inflicted was equal to that which they received; but after the loss of two-and-twenty men killed on the spot, sixteen, most of them wounded, yielded to their opponents, and the remaining few escaped. The prisoners expiated their crime on the gallows. But the

Insurrections.

1661. Jan. 6.

Jan. 9.

Jan. 19.

dispensing with the law in ecclesiastical matters, and yet no one ventured to complain. "It is our will and pleasure that none be judged to forfeit his presentation or benefice, or be deprived of it upon the statute of 13th Eliz. c. 12, so he read and declare his assent to all the articles of religion, which only concern the confession of the true Christian faith, and the doctrine of the sacraments comprised in the book of articles in the said statute mentioned."

failure of the enterprize had not shaken their faith. They died in the same sentiments in which they had lived, proclaiming the sovereignty of their heavenly King, and denouncing his vengeance against the usurpers of his prerogative, the kings of the earth.*

New parliament. 1661. May 8.

I shall not detain the reader with the ceremonial of the coronation, or the rejoicings with which it was celebrated. Charles had previously called a parliament after the ancient and legitimate form; and the result of the elections showed that the fervid loyalty which blazed forth at his restoration had, in the course of twelve months, suffered but little abatement. In a few places, indeed, men of anti-episcopalian principles were returned, but the majority of the members consisted of royalists devoted to the person of the king, and ready to support the measures of the court. Some members of the council possessed seats in the lower house: but it was not yet the custom to employ them as the acknowledged leaders of the party. To save appearances, the chancellor (he had lately been created earl of Clarendon) privately communicated the wishes of the cabinet to a few of the most influential members, and each of these held a separate meeting of his friends and followers, whom he instructed in the part that each individual had to act and the vote which it was expected that he should give. With the aid of a force thus previously, though secretly, organized in the house, the minister experienced little difficulty in defeating the desultory and unconnected efforts of his opponents.

Acts passed.

This parliament, at the commencement of its long career, passed several laws of the highest importance, both in regard to the pretensions of the crown, and the civil and religious liberties of the people. 1. The solemn league and covenant with the acts for erecting a high court of justice for the trial of Charles Stuart; for subscribing the engagement; for establishing a commonwealth; for renouncing the title of the present king; and for the security of the protector's person, were ordered to be burnt in the midst of Westminster-hall by the hands of the common hangman. It was affirmed that the negative voice, and the command of the army, were rights inherent in the crown: to devise any bodily harm to the king, and to distinguish between his person and his office, were made treason; to call the king a heretic or a papist, was declared to incapacitate the offender from holding any office in church or state; and the penalties of premunire were enacted against all who should assert that

* St. Trials, vi. 105. Kennet, Reg. 354. 562. Heath, 471. Parker, De Rebus sui Temporis, 10. Pepys, i. 167—169.

the parliament of 1641 was not dissolved, or that both houses or either house possessed legislative authority independently of the sovereign. At the same time, severe restrictions were imposed upon the press, to prevent the publication of books maintaining opinions contrary to the Christian faith, or the doctrine or discipline of the church of England, or tending to the defamation of the church or state, or of the governors thereof, or of any person whomsoever.*

King's poverty.

2. Though the convention parliament had undertaken to make ample provision for the pecuniary wants of the government, Charles was advised to apply to the two houses for additional aid, and obtained from their loyalty a grant of four subsidies, the ancient but now obsolete method of raising supplies. It has been said of the king that he was improvident; that the establishment of his household was calculated on the most expensive scale; that he made magnificent presents to his favourites and mistresses; and that he squandered enormous sums in the unnecessary repair and improvement of the royal palaces; but it should also be remembered that at his restoration he found himself incumbered with a debt for which he could not be responsible, the enormous sum owing to the armies in the three kingdoms under the heads of arrears; and that he was moreover compelled from the destitute state of the several arsenals to expend 800,000*l.* in the immediate purchase of naval and military stores. We are assured that in the first fifteen months the only sum which could be devoted to the ordinary current expenses of the state was the 70,000*l.* voted on account of the coronation. The parliament repeatedly listened to his solici-
1662. tations; but the estimates were inaccurate; the taxes proved deficient;† they were tardily collected; new debts were contracted before the original debts could be discharged; and, during the whole course of his reign, Charles laboured under the pressure of a burthen which he was unable to remove. This gave a peculiar tone to his policy. To procure money became his habitual pursuit: it entered into all his measures as the principal, or, at least, as an important, object: it dictated to him the match with Portugal and the sale of Dunkirk to France: and it seduced him into that clandestine correspondence and those pecuniary bargains with the French monarch, which have left an indelible stain on his memory.

* Clarendon, 181. Statutes and Journals, passim.

† Sir P. Warwick showed that, of the yearly sum of 1,200,000*l.* voted by the convention parliament, no more that 900,000*l.* per annum was ever received. Pepys, Diary, ii. 161.

3. Though the kingdom presented everywhere the appearance of tranquillity, the different parties continued to look on each other with jealousy and apprehension. That there existed many, who, if they had possessed the means, wanted not the will, to overturn the royal government, cannot be doubted; and these, by the imprudence of their language or their carriage, might occasionally minister just cause of suspicion; but, on the other hand, there were also many, whose credulity was as extravagant as their loyalty; who could discover traces of guilt in conduct innocent or indifferent; and who daily besieged the council board with the history of their fears, and with denunciations of treason. Most of these informers met with deserved neglect; but to some it was thought that greater credit was due; the king communicated their discoveries to the two houses; arrests were ordered, and convictions and executions followed. It has often been asserted that these plots had no real existence; that they were fabricated by the ingenuity of Clarendon, who sought, by exciting unfounded alarms, to procure the sanction of parliament to the measures which he meditated against the non-conformists. But the authors of this charge, so disgraceful to his character, were men whose sufferings on the score of religion made them his enemies, and who never supported their assertions with any satisfactory proof; nor is it undeserving of remark that, at the very same time, the royalists suspected him of a secret connexion with the republicans, because he received their informations with an air of coldness, and with expressions of disbelief.* Reports of conspiracies.

These reports and proceedings had, however, a considerable influence on the temper of the two houses, and turned their attention to the fate of the surviving regicides, who were still detained in prison. Of those who had been excepted from the penalty of death, all enjoying titles of honour were degraded; and three, the lord Monson, sir Henry Mildmay, and Robert Wallop, on the 30th of January, were pinioned upon hurdles, and drawn through the streets with halters round their necks to the gallows at Tyburn. Of these who had surrendered in consequence of the proclamation, the punishment had been respited till further order of parliament. A bill for their immediate execution was now introduced, passed by the lower house, and sent to the lords; who read it once, examined the prisoners at their 1662. Jan. 27. King refuses the execution of the other regicides.

* See Monkton's account. Lansdowne MSS. 988, f. 346.

bar, and never afterwards noticed the subject.* The fact is, that these unhappy men owed their lives to the humanity of the king. "I am weary of hanging," he said to the chancellor, "except for new offences. Let the bill settle in the houses, that it may not come to me; for you know that I cannot pardon them."†

Trials of Lambert and Vane.

There still remained Vane and Lambert, who, though not actually guilty of the death of Charles I., were considered as fit objects of punishment. Lambert had been the last to draw the sword against the royal cause, and was still looked up to by the republicans as their nominal head. Vane, if he had incurred ridicule by his extravagance as a religionist, was highly distinguished by his abilities as a statesman. In the first capacity, he had published books replete with pious fanaticism and unintelligible theology: in the latter, he stood without a rival as to matters of finance and civil policy. To his councils and foresight the cavaliers chiefly attributed the almost uniform success of their adversaries; but his great and unredeeming offence was one which, though never mentioned, could never be forgotten. He had been, at the beginning of the troubles, the cause of the death of Strafford, by communicating to Pym the document which he had purloined from his father's desk. There was, however, this peculiarity in the case both of Vane and Lambert, that though the convention parliament had refused to except them from the penalty of death, yet, on account of the declaration from Breda, it had recommended them to mercy in the event of conviction, and the recommendation had been favourably received by the king.‡ Charles, indeed, was disposed to leave them in prison without further molestation; but the house of commons ordered the attorney-general to bring them to trial, and by three successive addresses extorted the royal consent.§ Their conduct at the bar presented a singular contrast. Lambert, who had so often faced his enemies in the field, trembled at the sight of a court of justice; Vane, who had never drawn the sword, braved with intrepidity the frowns and partiality of his judges. The first behaved with caution and modesty: he palliated his opposition to Booth and Monk, by pretending that he was ignorant of their attachment to the house of Stuart; and appealed to the royal mercy to which

1660. Sep. 5.

1661. July 1. 1662. Feb 19.

* C. Journ. 1661, July 1; 1662, Jan. 27; Feb. 1, 3. L. Journ. xi. 375, 380. Pepys, i. 243.

† See Clarendon's notes in Clar. Pap. iii. App. xlvi.

‡ C. Journ. 28. Aug. 1660; Sep. 5. L. Journals, xi. 156.

§ C. Journ. July 1; Nov. 22, 1661; Jan. 10; Feb. 19, 1662.

he thought himself entitled by the king's proclamation and answer to the address of the convention parliament. He received judgment of death; but was confined for life to the island of Guernsey, where he beguiled the hours of banishment by the cultivation of two arts in which he delighted, those of the florist and the painter. Vane, on the contrary, boldly maintained the principles which he had formerly advocated. He was, he said, no traitor. By the act which rendered the long parliament indissoluble without its own consent, the two houses were raised to a power equal and co-ordinate with that of the king, and possessed a right to restrain oppression and tyranny: by the war which followed between these equal authorities, the people were placed in a new and unprecedented situation to which the former laws of treason could not apply; after the decision by the sword, "a decision given by that God, who, being judge of the whole world, does right, and cannot do otherwise," the parliament became de facto in possession of the sovereign authority, and whatever *he* had done in obedience to that authority was justifiable by the principles of civil government, and the statute of the 11th of Henry VII. He spoke with a force of reasoning and display of eloquence which surprised the audience and perplexed the court; and the judges were reduced to lay down this extraordinary doctrine, that Charles, in virtue of the succession, had been king de facto, and therefore in possession of the royal power, from the moment of his father's death. Hitherto by a king in possession had been understood a king in the actual exercise of his authority, which Charles most certainly was not; but the judges supported their decision on the ground that he was the only person then claiming the royal power: a miserable sophism, since the authority, the exercise of which constitutes a king de facto, was actually possessed, by the parliament, which had abolished the very name and office of king.* June 6.

To Charles his conduct on this occasion was represented as an additional offence, a studied vindication of rebellion, a public assertion that the houses of parliament were the only supreme power in the nation. Those who had before petitioned for his pardon united in soliciting his execution: the king, they maintained, was no longer bound by the royal word; even God himself refused forgiveness to the unrepenting sinner. His enemies prevailed, and Vane submitted with cheerfulness to his fate. On the scaffold, he displayed the same

* St. Trials, vi. 119—186. But Vane did not merely obey the authority in actual exercise of the supreme power, he formed a part of that authority, keeping the king de jure out of possession.

intrepid bearing which he had manifested at his trial; and was about to renew the advocacy of his principles to the spectators, when the trumpets were sounded in his face, and his notes were demanded and taken from him by the sheriff. He suffered on Tower-hill. It was the spot where the blood of his victim, Strafford, had been shed; and there he also fell an expiatory sacrifice to the manes of that nobleman. The one began, the other, after an interval of one-and-twenty years, closed, the list of proscription furnished by this period of civil discord.*

June 14.

4. The feverish state of the public mind, agitated by successive reports of plots and the prosecution of real or supposed conspirators, enabled the ministry to carry a measure, which they deemed highly conducive to the stability of the restored government. Both the presbyterians and cavaliers had given proofs of their attachment to the king; but their loyalty was of a different order: the first sought to limit, the latter to extend, the powers of the crown; the one looked on the constitution of the church as hostile, the other as favourable, to their respective views. In parliament the cavaliers were triumphant; but the government of cities and boroughs throughout the kingdom was chiefly in the hands of the presbyterians. To dispossess them of these strong holds became the policy of Clarendon; and he accomplished his purpose by the corporation act, which, after much opposition, was passed into a law. By it, commissioners were appointed with the power of removing at discretion every individual holding office in or under any corporation in the kingdom; and it was required that all persons permitted to retain their situations should qualify themselves by renouncing the solemn league and covenant, by taking the oaths of allegiance and supremacy, and by declaring upon oath their belief of the unlawfulness of taking up arms against the king on any pretence whatsoever, and their abhorrence of the traitorous doctrine that arms may be taken up by his authority against his person, or against those that are commissioned by him. With respect to the admission of future officers, the act moreover provided, that no man should be eligible who had not, within the year preceding his election, taken the sacrament according to the rite of the church of England. Qualifying tests had been first introduced into our law to exclude the Roman catholics: now the precedent was urged to justify the exclusion of the dissenters; the doctrine of passive obedience was es-

Corporation act.

1661. Dec. 20.

* Pepys, i. 275. See the letter of Charles in Harris, v. 32. St. Trials, vi. 187—198. Ludlow, iii. 89.

tablished by authority of the legislature; and the performance of a religious duty was made an indispensible qualification for the holding of a secular office.* This act broke the power of the presbyterians in the state; the act of uniformity drove them from the places which they still retained in the church.

The king had promised that, preparatory to the comprehension of "the dissenting brethren," the Book of Common Prayer should be revised by a commission of divines from both communions. They met at the Savoy; previous debates respecting forms and pretensions occupied a considerable portion of time; at length, the discussion commenced with written papers, and was subsequently continued in personal conferences. But the presbyterians demanded so much, the bishops were disposed to concede so little, that no progress was made; and when the commission (it had been limited to the duration of four months) was on the point of expiring, it was amicably agreed to dismiss the minor subjects of controversy, and to confine the discussion to eight passages in the book, which in the apprehension of the dissenters could not be adopted without sin. With this view, the following question was proposed for debate: "Can a command be sinful, enjoining that which is not in itself unlawful?" After a long and fretful altercation, neither party was convinced, and both joined in a common answer to the king, that they agreed as to the end, but could come to no agreement as to the means.† Conferences at the Savoy March 25. July 25.

This was the conclusion which had been expected and desired. Charles had already summoned the convocation, and to that assembly was assigned the task which had failed in the hands of the commissioners at the Savoy. Several of the bishops protested against any alteration; but they were overruled by the majority of their brethren; certain amendments and additions were adopted; and the book, in its approved form, was sanctioned by the king, and sent by him to the house of lords.‡ The act of uniformity fol- Act of uniformity. 1662. May 8. May 19.

* St. 13 Car. 2. c. i. par. ii.

† State Trials, vi. 25—44. History of Non-conformity. Neal, ii. 601. In opposition to the bishops it was contended, that a command, enjoining what is lawful, may be sinful per accidens, or may be unlawfully commanded. The point to which the dispute referred was the kneeling at the communion. Id. 328.

‡ The most important of these alterations were perhaps the following: the insertion of the rubric respecting the posture of kneeling at the sacrament, the admission of persons not yet confirmed to communion, and the dispensing with new married persons from the obligation of receiving the

lowed, by which it was enacted that the revised Book of Common Prayer, and of Ordination of Ministers, and no other, should be used in all places of public worship; and that all beneficed clergymen should read the service from it within a given time, and, at the close, profess in a set form of words their "unfeigned assent and consent to every thing contained and prescribed in it." To this declaration many objected. In obedience to the legislature, they were willing to make use of the book, though they found in it articles and practices of the truth and propriety of which they doubted; but to assert an unfeigned assent and consent to what they did not really believe or approve, was repugnant to the common notions of honesty and conscience. An attempt was made to relieve them on the transmission of a bill to amend the act
1663. July 25. of uniformity from the lower to the upper house. The lords added a declaratory clause, that the words "assent and consent should be understood only as to practice and obedience to the said act;" but the commons instantly rejected the amendment; the lords in a conference submitted to
July 27. withdraw it; and the only effect of the controversy was to place beyond a doubt the meaning in which the subscription was understood by the legislature.*

There were two other clauses, which also gave offence. By one, it was provided that no person should administer the sacrament, or hold ecclesiastical preferment, who had not received episcopal ordination; by the other, that all incumbents, dignitaries, officers in universities, public schoolmasters, and even private tutors, should subscribe a renunciation of the covenant, and a declaration of the unlawfulness of taking up arms against the sovereign under any pretence. It was in vain that the lords objected: a conference followed; the court came to the aid of the commons; the opposition was abandoned, and the bill in its improved form received the royal assent.†

The lords more liberal than the commons.

During the progress of this question, the lords had displayed a spirit of liberality which shocked the more rigid orthodoxy of the lower house. They appealed to the declaration from Breda. That in-

communion on the day of marriage, and of the sick from the obligation of confessing their sins, and receiving absolution.

* Lords' Journals, xi. 573. 577. The duke of York and thirteen other peers entered their protests against the amendment, "because it was destructive to the church of England as then established." 573.

† St. 13, 14. Car. ii. c. iv. Clarendon, 153. In the conference between the houses much stress was laid on the opportunity which tutors possess of impressing what notions they please on the minds of their pupils. To this circumstance was attributed the strong opposition made to Charles I. in parliament by the younger members; for, during the commonwealth, the clergy of the church of England supported themselves by teaching, and brought up their pupils in principles of loyalty. Lords' Journals, 447.

strument was an offer made by the king as head of the adherents to the church and the throne, and accepted by the several other parties within the kingdom. It was virtually a compact between him and the people, which fixed the price of his restoration. The people had done their part in receiving him; it became him now to secure to them the boon which he had promised. That boon, as far as regarded religion, was liberty to tender consciences, and freedom from molestation on account of difference of religious opinion; two things which, it was apprehended, could not be reconciled with the disqualifying enactments of the bill. The manager for the commons replied, that the declaration from Breda had been misunderstood. "Tender" was an epithet implying susceptibility of impression from without; a tender conscience was one which suffered itself to be guided by others; the liberty to tender consciences was, therefore confined to the "misled," and not extended to the "misleaders;" it was granted to the flocks, but not to the ministers. In aid of this sophistical exposition, he also observed, that the declaration referred to the peace of the kingdom and to a future act of parliament, as if the act to be passed had been one to impose restraint, instead of "granting indulgence," or the allusion to the peace of the kingdom had not been understood as an exception of the seditious and anarchical doctrines promulgated by some of the fanatical preachers.* The act of uniformity may have been necessary for the restoration of the church to its former discipline and doctrine; but if such was the intention of those who formed the declaration from Breda, they were guilty of infidelity to the king and of fraud to the people, by putting into *his* mouth language, which, with the aid of equivocation, they might explain away; and by raising in *them* expectations, which it was never meant to fulfil.

The triumph of the church was now complete. The bishops had already been restored to their seats in parliament, and the spiritual courts had been re-established. To the first of these measures a strong opposition was anticipated from the united efforts of the catholics and presbyterians in the house of lords: but, of the catholic peers, one only, the viscount Stafford, voted against it; and among the presbyterians the opposition was confined to the survivors of those who had originally supported the bill incapacitating clergymen from the exercise of temporal authority. The second was accomplished with equal facility; but, at the same time, the ecclesiastical jurisdiction was curtailed of two of its most obnoxious appen-

Bishops restored to seats in parliament.

* Lords' Journals, xi. 449.

dages, the high commission court, and the power of administering the oath ex officio.*

Petition of the catholics.

Among others, the English catholics had cherished a hope of profiting by the declaration from Breda; and that hope was supported by the recollection of their sufferings in the royal cause, and their knowledge of the promises made by Charles during his exile. The king was, indeed, well disposed in their favour. He deemed himself bound in honour and gratitude to procure them relief; he knew the execration in which the penal laws against them were held on the continent, and had often declared his resolution to mitigate, whenever he should be restored to his father's throne, the severity of such barbarous enactments.† In June, 1661, the catholics met at Arundel-house, and presented to the lords a petition complaining of the penalties to which they were liable for the refusal of oaths incompatible with their religious opinions. The presbyterian leaders lent their aid to the catholic peers; and Clarendon placed himself at the head of their adversaries. Not a voice was raised in favour of the statutes inflicting capital punishments; but, after several debates, the house resolved that "nothing had been offered to move their lordships to alter any thing in the oaths of allegiance and supremacy." In the mean time, colonel Tuke‡ was heard at the bar against the sanguinary laws; and several papers stating the grievances and prayer of the catholics had been laid on the table. The petitioners claimed the benefit of the declaration from Breda, and observed, that the only objection to their claim rested on the supposition that the acknowledgment of the spiritual supremacy of the pope implied the admission of his temporal superiority. Against this they protested. The doctrine of his temporal authority was a problematical opinion, admitted indeed by some individuals, but no part of the catholic creed; and the petitioners (so far were they from holding it,) offered to bind themselves by oath "to oppose with their lives and fortunes the pontiff himself, if he should ever attempt to execute that pretended power, and to obey their sovereign in

1661. June 8.

June 18. June 21.

* St. 13. Car. ii. c. 2. 12. Whoever will compare the account in Clarendon, 138, with the Journals xi. 279. 81. 83, will be astonished at the inaccuracies of the historian. In five material points, including the principal part of his narrative, he is flatly contradicted by the testimony of the Journals. So far was the bill from being detained in the house of lords, that it was forwarded through all its stages with almost unprecedented rapidity. It was sent from the commons on Thursday, and passed by the lords on the Tuesday following.

† Clarendon, 140.

‡ Sir G. Tuke, of Cressing Temple in Essex. Pepys, i. 364.

opposition to all foreign and domestic power whatsoever without restriction."* The house, having received the report of a committee to inquire into "the sanguinary laws," resolved to abolish the writ de hæretico inquirendo, and to repeal all the statutes which imposed the penalties of treason on catholic clergymen found within the realm, or those of felony on the harbourers of such clergymen, or those of premunire on all who maintained the authority of the bishop of Rome. But this measure of relief did not equal the expectations of the laity, who sought to be freed from the fines and forfeitures of recusancy; and the whole project was quashed by the cunning of an adversary, who moved and carried a resolution that no member of the society of Jesuits should enjoy the benefit of the intended act. Immediately discord spread itself among the petitioners; pamphlets in favour of and against the society were published; and, on the one hand, it was contended that the boon, with whatever exceptions it were clogged, ought to be accepted, and that the Jesuits were bound in decency to resign their own pretensions for the common benefit of the body; on the other, that the distinction sought to be established in the bill was groundless and unjust, and that, if the catholics consented to purchase relief for themselves by the proscription of the order, they would entail on their memory the stigma of selfishness and perfidy. Amidst these altercations, the committee at Arundel-house was dissolved; the progress of the bill was suspended, at the request of the catholic peers; and, in the succeeding session, no one ventured to recal it to the attention of parliament.† July 16.

From the restoration of the royal authority in England, we may turn to its re-establishment in Scotland and Ireland; which countries, as they had not been mentioned in the declaration from Breda, depended for their subsequent fate on the good pleasure of the sovereign.

* Kennet's Register, 476.

† Journals, xi. 276. 286. 299. 310. Kennet's Register, 469. 476. 484. 495. Orleans, 236. Letters from a Person of Quality to a Peer of the Realm, etc., 1661. Clarendon, in his account of this transaction (p. 143,) tells us that the Jesuits were apprehensive of being excluded from the benefit of the act, and broke up the committee at Arundel-house by declaring, that "catholics could not, with a good conscience, deprive the pope of his temporal authority, which he hath in all kingdoms granted to him by God himself." But Clarendon is, as usual, incorrect; for they were actually excluded from the benefit of the act (Journ. 310): and in their "reasons," published by them at the time, they declare that ever since the year 1618 all Jesuits, by order of their general, "are obliged, under pain of damnation, not to teach the doctrine" which Clarendon ascribes to them, "either in word, writing, or print." Kennet's Reg. 496.

Transactions in Scotland.

1. With respect to Scotland, the first question submitted to the royal consideration was, whether it should remain in its present state of an incorporated province, or be restored to its ancient dignity of an independent kingdom. By his English advisers Charles was reminded, that the Scots were the original authors of the calamities which had befallen his family: they were now a conquered and prostrate people: let him beware how he replaced them in a situation to display their accustomed obstinacy, and to renew their disloyal engagements. But the king cherished more kindly feelings towards the land of his fathers, and willingly acquiesced in the prayer of the Scottish lords, whom loyalty or interest had drawn to his court. The survivors of the committee of estates, whom he had named previously to his disastrous expedition into England in 1651, received orders to resume the government of Scotland, and the earl of Middleton was appointed lord commissioner; the earl of Glencairn, lord chancellor; the earl of Lauderdale, secretary of state; the earl of Rothes, president of the council; and the earl of Crawford, lord treasurer. The two first had repeatedly proved their loyalty in the field; the other three had suffered a long imprisonment for their services under the duke of Hamilton; of the five, Middleton chiefly possessed the confidence of the English cabinet, though Lauderdale, from the pliancy of his temper, and his constant attendance on Charles, had won the personal affection of the monarch.

Proceedings in parliament. 1661. Jan. 1.

In a short time a parliament was summoned to meet at Edinburgh.* The terrors of punishment for past delinquency had been held out as a warning to the prudence of the members; and the house was found to be composed of cavaliers by principle, or of proselytes eager to prove the sincerity of their new political professions. To obtain from such men a recognition of the legitimate rights of the sovereign was an easy task; but the commissioner had in view an object of more difficult attainment. In his opinion, the royal authority could never be secure till the church, by the restoration of the hierarchy, should be rendered dependent on the crown; and, for this purpose, he undertook to exalt the prerogative, to demolish the covenant and the pretensions which had been built upon it, and to humble the pride, and curb the presump-

* The proceedings of this parliament were afterwards called in question, because the members neglected to sign the covenant, a condition required by a law then in force, and declaring the constitution of parliament without it null and void. Kirkton, 88. From the habitual intoxication of Middleton and his friends, it was called the drunken parliament. Id.

tion, of the kirkmen. By a series of acts it was declared that the power of appointing the chief officers in the state, of calling and dissolving parliaments, of commanding the forces, and of making treaties with foreign potentates, resided solely in the king; that without his assent no acts passed in parliament could obtain the force of law; that it was high treason for subjects to rise, or continue in arms, without the sanction of his authority; that all assemblies under the pretence of treating of matters of state, civil or ecclesiastical, were, if holden without his special consent, contrary to law; that neither the solemn league and covenant, nor the treaties arising out of it, could authorize any seditious interference with the churches of England and Ireland; that, for the future, no man should take, or offer to be taken by others, the said covenant without his majesty's special warrant and approbation; and that every individual holding office should subscribe a declaration of his submission to these acts, and take an oath of allegiance, acknowledging the king to be "supreme governor over all persons and in all cases." The ministers had viewed these enactments, so rapidly succeeding each other, with misgivings and apprehension: they knew not how to reconcile with their consciences a declaration which seemed to make the destiny of millions dependent on the will of a single man; and they discovered in the oath an implied acknowledgment of the king's spiritual supremacy, to the disherison of the kirk and of Christ. To their representations Middleton replied, that the sovereign did not claim any ecclesiastical authority in "the word, the sacraments, or the discipline;" but when they prayed that the explanatory epithet "civil" might therefore be inserted before "governor," he contemptuously rejected their petition.*

Rescissory act.

Emboldened by his success, the commissioner ventured to recommend a measure unprecedented in the annals of Scotland. Though much had been done to clear the way before him, the lawyers still discovered a multitude of legal obstacles to the accomplishment of his object; and, to save time and debate, he resolved by one sweeping and decisive act to annul all the proceedings of all the Scottish parliaments during the last eight-and-twenty years. The lord-treasurer and the young duke of Hamilton† objected, that two of these parliaments had been honoured with the

* Scottish Acts, p. 10. 2, 3. 6. 8. 45. Kirkton, 90. Wodrow, 21—24. 26, App. viii. Baillie, ii. 449, 450. Burnet, i. 197—9. Oxford, 1823, and Middleton's Narration in Miscel. Aul. 179.

† A son of the marquess of Douglas, who obtained the title in consequence of his marriage with the heiress of the late duke of Hamilton, with 20,000*l.* out of the customs of Leith. Baillie, ii. 442.

presence and sanction of Charles I. and of his son, and that to rescind them would be to repeal the act of indemnity, and the approbation of the "engagement." But Middleton replied, that on each occasion the king, though in possession of physical liberty, had been under moral restraint; and that the alleged acts, laudable as they were in their object, were grounded on motives so false and hypocritical, as to prove a disgrace to the national legislation. His reasoning, or his authority, silenced his opponents; the rescissory act was passed; and at one blow every legal prop of the Scottish kirk was levelled with the ground. The ministers looked around them with astonishment. They met in several counties to consult and remonstrate; but their synods were everywhere dispersed or suspended by the authority of the government.*

March 28.

Trials of Argyle.

Another object of the commissioner, subsidiary to the former, was to intimidate by examples of punishment. In England, the demands of justice had been satisfied with the blood of the regicides: to expiate the guilt of Scotland, a more illustrious victim was selected, the marquess of Argyle. No man had more deeply offended in the opinion of the cavaliers; they called for vengeance against the betrayer of his sovereign and the murderer of Montrose; and they represented him to Charles as the most crafty and selfish of demagogues, one, who, under every change, whether he swayed the councils of the Scottish rebels, or placed the crown on the head of the true heir at Scone, or sat as a commoner in the parliament of the usurper, Richard, had always contrived to conceal, under the mask of patriotism, his only real object, the aggrandizement of his family. The moment he arrived in London, to pay his court to the restored monarch, he was secured and conducted to the Tower; his petition for a personal interview was refused through the influence of those who were acquainted with his insinuating manner, and the easy temper of the king; and Charles, to escape from the painful task of deciding on his fate, sent him back to Scotland, to be tried by his countrymen, or rather by his enemies in parliament.† From them, Argyle had no reason to expect

1660. July 7.

* Scottish Acts, p. 86. Wodrow, 27. 31—34. Burnet, 199. Miscel. Aul. 182.

† Warriston and Swinton were almost as odious to the cavaliers as Argyle. The first escaped the search of his enemies, the second was discovered and apprehended. But the zealous and stubborn covenanter dwindled into a meek and humble quaker, and by the ingenuousness of his confession saved his life, though he forfeited his estate. The witlings, however, contended that, if he had not trembled, he never would have quaked. Baillie, ii. 446. Kirkton, 98, 9. Wodrow, 86.

either justice or mercy. He first sought to obtain delay, by soliciting a commission to examine witnesses; then abandoning all defence, threw himself on the mercy of the sovereign; and, when his submission was rejected as unsatisfactory by the parliament, claimed the benefit of the amnesty formerly granted at Stirling. To this, in opposition to the remonstrances of Middleton, Charles declared that he was fully entitled; and thus the charge against him was confined to offences alleged to have been committed since 1651; which were, that he had repeatedly employed defamatory and traitorous language in speaking of the royal family; that he had obtained a grant of 12,000*l.* from Oliver Cromwell; that he had given his aid to the English invaders against the liberty of his country; and that he sat and voted in the parliament of Richard Cromwell, which had passed a bill abjuring the right of the Stuarts to the crowns of the three kingdoms. It was replied, that of the words attributed to the accused, some had never been uttered by him at all, and others were susceptible of a very innocent meaning; that the money had been received from Cromwell, not as a reward for services rendered to the usurper, but as compensation for losses suffered by the marquess; and that the laws which prevail under a legitimate government, ought not to be strictly applied to the conduct of subjects during a temporary usurpation; because, though it were treasonable to concur in transferring the sovereign authority to an unjust possessor, it might be meritorious to employ the authority so transferred for the good of the country. Now this was the case of Argyle. He sat, indeed, in Richard's parliament; but he sat there, not to support the usurper, but to procure a diminution of the taxes imposed upon Scotland; to prevent the incorporation of the country with England, and to lend a helping hand to the restoration of the legitimate monarch. For some time his fate remained in suspense: it was decided by the arrival of a small parcel of four or five letters, formerly written by him, partly to Monk, partly to other Cromwellian officers.* With their purport we are not accurately acquainted: but the result proves that they contained strong assertions of enmity to the king, or of attachment to the protector. They were read in the house: his friends, oppressed with shame and despair, retired; and judgment of death was pronounced against

1661. Feb. 12. March 5. March 11.

Condemnation. May. 25.

* That these letters were furnished by Monk, is, I think, victoriously proved by Laing, iv. 413: how far they were letters of "friendship and confidence," appears to me very uncertain. Though Burnet and Cunningham represent Monk and Argyle as living in habits of friendship, the documents in Thurloe show that they were distrustful of each other. Thurloe, v. 604; vi. 341; vii. 584.

the unfortunate nobleman. Still, could he have appealed to the king, his life would probably have been spared; but his judges allowed him only forty-eight hours to prepare for death, and he employed them in seeking from God that mercy which was refused to him by man. In the fervour of his prayer, he thought that he heard a voice, saying, "son, be of good cheer, thy sins are forgiven thee;" and, under this persuasion, he mounted the scaffold with an intrepidity which disappointed the malice of his enemies, and expressed an attachment to the covenant, which raised him to the rank of a martyr in the estimation of the kirkmen. His head was struck off by the maiden, and fixed on the same spike which had supported that of his reputed victim, Montrose.*

And death. May 27.

That the forms of justice were violated in this celebrated trial, no one can doubt. Whatever may have been the offences of Argyle, they were not judicially proved. But he had rendered himself odious to the cavaliers by his strenuous advocacy of the covenant; to his countrymen by his subserviency to their English conquerors; and to the more moderate part of the clergy, by his adhesion to the remonstrants. It was supposed that his death had been hastened by his enemies, as much through the hope of enriching themselves from the wreck of his fortune, as for the gratification of revenge. But Charles rescued his vast possessions from their grasp, and gave them back, with some exceptions, to his eldest son, whom he created earl of Argyle.†

The execution of this nobleman was followed by that of Guthrie, one of the most violent and influential among the protesting ministers. He had formerly excommunicated Middleton, had joined the western remonstrants, and been one of the compilers of the tract, entitled "The causes of God's Wrath;" and since the restoration, he had called, in defiance of the committee of estates, a meeting to remind the king of the duties imposed on him by the covenant, and to warn him against the employment of malignants in his service. He attempted to vin-

Other executions.

April 11.

* State Trials, v. 1369—1508. Baillie, ii. 451, 2. Kirkton, 100—4. Wodrow, 42—57. App. 23—8, 30—45. Clarendon, 58. 212. Burnet, i. 207—14. At the same time "the parliament thought fit to honour Montrose his carcase with a glorious second burial, to compose the dishonour of the first, and with him one Hay, of Delgattie (a flagitious papist), and one of his colonels." Kirkton, 122.

† The young Argyle, in a private letter to the lord Duffers, complained in no very measured terms of the commissioner and the parliament. The letter was intercepted, and the writer accused of *leasing-making*, which by the Scottish law was a capital offence. The parliament condemned him to death; but Charles granted him a pardon, and, after some time, discharged him from prison. Kirkton, 143.

dicate his conduct by appealing to the confession of faith, the the national covenant, the solemn league and covenant, and the unbending opposition which he had always offered to the usurpation of the Cromwells. But it was resolved that one of the clergy should suffer as an example to the rest; and his colleague, Gillespie, who, by the turbulance of his zeal, and his proud contempt of the civil authority, had earned an equal, if not a better, claim to the crown of martyrdom, descended from his high pretensions, and submitted to solicit the royal pardon, on condition of promoting the cause of episcopacy. Guthrie appeared on the scaffold with an air of triumph, and harangued the spectators in his usual tone of invective and enthusiasm. He declared that God was wroth at the sins of the people; he threatened them with the worst of the divine judgments; and foretold that the candlestick of the kirk would be removed out of its place, a prediction which was verified sooner, perhaps, than he expected. In company with him perished the third and last victim, a captain Govan, who had laid down his arms at Hamilton, and deserted to Cromwell. Why he was selected to suffer in preference to so many others, no one knew; but it was generally thought that his offence might have been passed over without notice, on account of the utter insignificance of the man.*

Restoration of bishops.

On the first news of the king's restoration, the Scottish ministers had most anxiously deprecated the extension to Scotland of the indulgence to tender consciences promised by him at Breda: in the course of a year they were compelled to solict for themselves, and to solicit in vain, that indulgence which they had so sternly refused to others.† By the 16th act of the session "the settling and securing of church government, as might be consistent with scripture, monarchy, and peace," had been entrusted to the king: Middleton now assured him that the restoration of episcopacy was the earnest wish of the nation; and a proclamation soon announced the royal intention of gratifying that wish, and at the same time prohibited all meetings of synods and presbyteries. Of the former prelates, Sydserfe alone survived; but he was a man of no estimation with either party; and though his ambition aspired to the archiepiscopal see of St. Andrews, he was compelled to content himself with the distant bishopric of Orkney. The first dignity in the restored hierarchy was given to one whose elevation filled the ministers with

1661. Sep. 6.

* Baillie, ii. 455. 7. 463, Kirkton, 109, 110, 111. Wodrow, 67—70. 77. App. 47. Burnet, i. 214.

† Baillie, ii. 459. Wodrow, Introd. 21, 2. App. to do. 57.

rage and despair—to Sharp, who had been sent to London as their agent for the purpose of preserving the independence of the kirk, and who now returned wearing the archiepiscopal mitre, the lord of his former equals, and the subverter of their spiritual rights. In revenge, they pried into the frailties of his private, and condemned him of perfidy in public, life. The charges of incontinency and infanticide may with probability be attributed to the malice of his enemies; but the result of his mission, so advantageous to himself, so disastrous to his employers, must throw doubts on his integrity; and few will give credit to his assertions that he served the kirk faithfully while there remained a chance of success, and only accepted the archbishopric, when he saw that his refusal would leave it open to the ambition of men of violent and dangerous principles. By his advice, Fairfoul was named to the see of Glasgow, Hamilton to that of Galloway, and Leighton to that of Dumblain. The two first never equalled the expectations which they had raised; the third, son of the Dr. Leighton, who under Charles I. suffered as the author of "Zion's Plea against Prelates," was so distinguished by his piety, disinterestedness, and learning, that the enemies of episcopacy could offer no other objection against him, than that he was in heart a papist. The four prelates were summoned to the English capital to receive episcopal ordination, "a flower not to be found in a Scottish gardine;" they were consecrated at Westminster by Sheldon, bishop of London, and the event was celebrated with a banquet, the luxury and splendour of which afforded matter of censure to their opponents, and scandalized the simplicity of Leighton. From the English capital they hastened to their own country; at Edinburgh they were received in solemn processions, the parliament invited them by deputation to take their seats in the house, and an act was passed restoring them to "the exercise of the episcopal function, precedence in the church, power of ordination, infliction of censures, and all other acts of church discipline;" and ordaining that, "whatever should be determined by his majesty with their advice and that of other clergymen nominated by him, in the external government and policy of the church, should be valid and effectual." In a short time the number of prelates was augmented to fourteen, and all ministers, who had entered on their livings since the year 1649, were ordered to receive collation from their respective bishops under the penalty of deprivation.* May 8.

* Baillie, ii. 459, 460. Kirkton, 81, 5. 135—8. Miscel. Aul. 184. Wodrow, i. 96—163. 114. 116. App. 52. Clarendon, 213. Burnet, i. 223—38.

To gild this bitter pill, the commissioner advised the king to withdraw the English forces from Scotland. This he thought reasonable, and his English counsellors, though they still wished to keep their northern neighbours under the yoke, reluctantly acquiesced in the pleasure of their sovereign. The garrisons were recalled, and the fortifications, the badges of Scottish slavery, were demolished. Such, to Scotland, was the immediate result of the restoration; the nation recovered its civil, and lost its ecclesiastical, independence.* Recal of the English garrison. July 13.

II. The reader is aware, that in Ireland a new race of proprietors had arisen, soldiers and adventurers of English birth, who, during the late revolutionary period, had shared among themselves the lands of the natives, whether royalists or catholics. On the fall of Richard Cromwell, a council of officers was established in Dublin; these summoned a convention of deputies from the protestant proprietors; and the convention tendered to Charles the obedience of his ancient kingdom of Ireland. It was not, that the members felt any strong attachment to the cause of royalty; they had been among the most violent and enterprising of its adversaries: but their fear of the natives, whom they had trampled in the dust, compelled them to follow the footsteps of the English parliament. To secure the royal protection, they made the king an offer of a considerable sum of money, assured him, though falsely, that the Irish catholics meditated a general insurrection, and prayed him to summon a protestant parliament in Ireland, which might confirm the existing proprietors in the undisturbed possession of their estates. The present was graciously accepted; and the penal laws against the Irish catholics were ordered to be strictly enforced; but Charles was unwilling to call a parliament, because it would necessarily consist of men, whose principles, both civil and religious, he had been taught to distrust.† Transactions in Ireland.

The English bishops would not allow of the presbyterian ordinations, nor admit that episcopacy, as the plentitude of the sacerdotal character necessarily included the lower orders, a principle on which Spotiswood, in the reign of James I. had been consecrated bishop without receiving the inferior orders. On this account Sharp and Leighton, who had not received episcopal ordination, were compelled to receive the orders of deacon and priest, preparatory to that of bishop. But, on their return to Scotland, they acted on the principle previously adopted at the consecration of Spotiswood. Burnet, i. 237. Wodrow, i. 102, 3. Kirkton, 137.

* Clarendon, 213—6. Burnet, i. 183. Wodrow, 107. To divert the attention of the more fervent from these changes, they were exhorted to exercise their zeal against papists and witches. All the acts against the former were ordered to be put in execution, and commissioners, to search for the latter, were appointed in almost every parish. Multitudes were executed for this imaginary offence. Wodrow, 107, 8, 9.

† Clar. Contin. 57.

Restoration of bishops.

The first measure recommended to him by his English advisers, with respect to Ireland, was the re-establishment of episcopacy. For this no legislative enactment was requisite. His return had given to the ancient laws their pristine authority, and by those laws no other form of church government was acknowledged. In virtue, therefore, of his supremacy, Charles directed the surviving bishops to take possession of their respective dioceses, nominated new prelates to the vacant sees, and authorised them to reclaim all ecclesiastical property which had fallen into the hands of laymen. The ministers petitioned against this measure; and, had the recent settlers been true to their principles, a most formidable opposition would have been raised. But mammon got the better of conscience: they dared not provoke a monarch, on whose pleasure they depended for the preservation of their lands; and, in a short time, the episcopal hierarchy was quietly restored to the enjoyment of its former rights, and the exercise of its former jurisdiction.*

Disputes respecting land-property. 1660.

To this, a work of easy accomplishment, succeeded a much more difficult attempt,—the settlement of landed property in Ireland. The military, whom it was dangerous to disoblige, and the adventurers, whose pretensions had been sanctioned by Charles I., demanded the royal confirmation of the titles by which they held their estates;† and the demand was opposed by a multitude of petitioners claiming restitution or compensation; by officers who served in the royal army before 1649, and had not yet received the arrears of their pay; by protestant loyalists, whose property had been confiscated under the commonwealth; by catholics who had never joined the confederate assembly at Kilkenny, or had faithfully observed the peace concluded with Ormond, or had served under the royal banners in Flanders; by heirs, whose estates had been forfeited on account of the misconduct of the last holders, though they were but tenants for life; by widows, who had been deprived of their jointures; and by creditors, who could no

* Clar. 105.

† Charles I. had given his assent to the first act (17. Car. i.,) but the parliament, had afterwards, in 1643, passed the doubling ordinance, by which, whoever advanced one fourth more on his original subscription, received credit for twice the amount of the whole sum actually furnished. The subscriber of 1000*l.*, by adding 250*l.*, became creditor to the amount of 2500*l.*, and was entitled to lands in Ireland of that value. Where the original subscriber refused, any other person might advance the fourth, and receive the whole benefit arising from the advance, which the first had forfeited. Carte's Ormond, ii. 224. In the settlement of Ireland all claims of doubling were rejected.

longer recover on bond or mortgage.* Humanity, gratitude, and justice, called on the king to listen to many of these claims. He sincerely deplored the miserable state of the Irish natives, whom the republicans had swept from the soil of their birth, and "transplanted" on the barren district beyond the Shannon; and he deemed himself bound in honour and conscience to protect the interests of the loyalists, who had followed him in his exile abroad, or at his command had left the service of foreign powers to form the royal army on the continent.†

The king's declaration.

From an estimate delivered to the king, it appeared, that there still remained at his disposal forfeited lands of the yearly rental of from eighty to one hundred thousand pounds: a fund sufficiently ample, it was contended, to "reprize" or compensate all the Irish, really deserving of the royal favour. Under this impression, Charles published his celebrated declaration for the settlement of Ireland. It provided, that no person deriving his title from the adventurers under the parliament, or the soldiers under the commonwealth, should be disturbed in the possession of his lands, without receiving an equivalent from the fund for reprisals; that all innocents, whether protestants or catholics, that is, persons who had never adhered either to the parliament or the confederates, should be restored to their rightful estates; and that of those, who claimed under the peace of 1648, such as had accepted locations in Clare and Connaught, should be bound by their own acts, compulsory as those acts had been; but the others should recover their former possessions, or receive lands of equal value.

1660. Nov. 30.

To this arrangement was appended a list of the qualifications of innocence, but so constructed as to exclude from the benefit of that plea the greatest possible number of catholics. Not only to have openly adhered to the confederates, but even to have corresponded with them, or to have derived advantage from the treaties concluded between them and Ormond, or to have lived quietly at home, if that home was situated within the quarters of the confederates, were to be taken as conclusive evidence of guilt, and an effectual bar to relief.‡

The subject now came before the Irish parliament. The commons, who had been returned by the preponderating influence of the soldiers and adventurers, voted that the declaration should be passed into a law; but by the lords it was

* Clar. 60—66.
† Clar. 112.
‡ Irish Statutes, ii. 239—343. Carte's Ormond, ii. 216.

contended that such a law would reduce the old families, both catholic and protestant, to a state of penury, in order to establish a new and upstart interest in Ireland. By order of the former, a deputation of the house proceeded to London to lay the draught of a bill before the king in council; but the lords appointed four commissioners to oppose some of its provisions; and the catholics seized the opportunity to petition by agents in their own favour.

June 12.

The parties heard before the council. Sept.

The contending parties were repeatedly heard by Charles himself; and the Irish had reason to expect a favourable result, when they marred their cause by their imprudence.* In the ardour of declamation, they not only defended themselves, but assailed others. Why, they asked, were they to be deprived of their estates in favour of rebels and traitors? Because, it was answered, they stood there covered with the blood of one hundred thousand protestants massacred by them during their rebellion.† They, indeed, denied the charge; they retorted it in the face of their accusers; murder was a crime with respect to which they were more sinned against than sinning. Their only wish was that an inquiry should be instituted; and that the real murderers, whatever were their religion, should be excluded from the benefit of the bill of indemnity. But the patience of Charles (he had hitherto attended the debates with the most edifying assiduity), was exhausted; he longed to withdraw himself from the recriminations of these violent disputants; and on the discovery of an obnoxious paper formerly signed by sir Nicholas Plunkett, one of the agents, ordered the doors of the council to be closed against the deputies of the natives. The heads of the bills were then arranged, returned to Dublin, and ultimately passed into a law by the parliament.‡

1662. May.

* See Ormond's Letter in Carte, ii. 233.

† Walsh (Irish Colours Folded, p. 3.) asserts that their opponents raised the number to three hundred thousand. Mrs. Macauley (Hist. vi. 62.) tells us that "no attempt was made by the papists to disprove the assertion" respecting the massacre. Most assuredly she could never have heard of the several tracts written at the time, and provoked by this charge, such as, The Irish Colours Folded, by P. W.; A Collection of some of the Massacres and Murders Committed on the Irish since 1641; or Walsh's Reply to a Person of Quality; or to a Person of Quality's Answer; or his Letter to the Bishop of Lincoln, p. 225—230; or a Letter to a Member of Parliament, showing the Hardships, Cruelties, etc.; or a Brief Narrative of Cruelties Committed on the Irish. In Ireland's Case briefly Stated, p. 41, an attempt is made to prove that the number of the murdered by the protestants exceeded by six times that of those murdered by the catholics.

‡ Clar. 106—115. Carte, ii. 245. Memoirs of Orrery, 67—70. The obnoxious paper was the copy of instructions from the supreme council in 1648 to their agent, to offer Ireland to the pope, or any catholic power that would undertake to defend them against the parliament. Carte, ibid.

But to execute this act was found to be a task of considerable difficulty. By improvident grants of lands to the church, the dukes of York, Ormond, and Albemarle, the earls of Orrery, Montrath, Kingston, Massarene, and several others, the fund for reprisals had been almost exhausted; and yet it was from that fund that compensation was to be furnished to the forty-nine officers, to the ensignmen, or those who served in Flanders, and to the soldiers and adventurers, who might be compelled to yield up their plantations by the court of claims. Among this class, indeed, a general alarm was excited; for in the course of six months, during which the commissioners sate, several hundred decrees of innocence had been issued, and three thousand petitions still remained for investigation. To secure themselves, they demanded an explanatory act: the duke of Ormond, now lord-lieutenant, repaired to London, and ten months were spent in useless attempts to reconcile the jarring interests of the different parties.

Decisions of the court of claims.

1663. Feb. 15. Aug. 15.

From the very beginning of these transactions, the actual occupants of the lands had displayed a bold defiance of decency and justice in their efforts to bring the cause to a favourable termination. 1. They had recourse to bribery. A fund of more than 20,000*l.* was subscribed, and placed in the hands of sir James Sheen, who hastened to London, and purchased at different rates, the patronage and good offices of persons supposed to possess influence in the council, or over the mind of the king.* 2. To keep up the irritation of the public mind against the Irish catholics, they circulated reports of an intended rebellion, forwarded to the council informations respecting imaginary plots, and, at length produced a treasonable letter, supposed to be written by one clergyman to another, and dropped by the latter, as he made his escape from the officers of justice. Many priests were immediately apprehended; all catholic shopkeepers and mechanics were banished out of the principal towns, and the houses of the catholic gentry were searched for the discovery of arms and ammunition. But the two clergymen, the supposed writer and receiver of the letter, boldly came forward, and proved the forgery, to the entire satisfaction of the council, and the confusion of those who had fabricated the pretended conspiracy.† 3. The Irish house of commons,

Intrigues of the occupiers.

1661. Dec. 2.

Dec. 20.

* Orrery, Letters, 101. Carte, ii. 232.

† On this occasion a protestation of allegiance, composed by Richard Bellings, was approved at a private meeting in Dublin, and transmitted to London, where it was signed by the principal of the Irish catholics in the

which was composed of persons deeply interested in the result, submitted to the approbation of the lord-lieutenant a new code of rules to be established in the court of claims. By him it was rejected, on the ground that such rules would render the proof of innocence almost impossible; and its authors, in a moment of irritation, moved and carried a bold and dangerous vote, pledging the house to defend the protestants of Ireland against the unjust decisions of the commissioners. The consequence was soon apparent. The knowledge of this vote awakened from its slumbers the revolutionary spirit of the settlers, who had formerly borne commissions in the republican armies. They had won their lands with the sword, why should they not defend them with the sword? Associations were formed; plans of attack were arranged; and two plots, having for their object to seize the castle of Dublin, and secure the person of the lord-lieutenant, were defeated by the previous disclosures of some among the conspirators. Of these, the greater part merited pardon by the humble confession of their guilt; several suffered the penalty of death.*

1663. Feb. 28.

May 25.

Final settlement.

The duration of this perplexing controversy at last induced the most obstinate to relax from their pretensions; and the soldiers, the adventurers, and the grantees of the crown, unanimously consented to augment the fund for reprisals by the surrender of one-third of their acquisitions. The king by this measure was placed in a situation, not indeed to do justice, but to silence the most importunate or most deserving among the petitioners; and, by an explanatory act, he gave to forty-nine protestant officers the security which they sought, and added twenty catholics to a former list of thirty-four nominees, or persons to be restored to their mansion-houses, and two thousand acres of land. But when compensation had thus been made to a few of the sufferers, what, it may

1665. Aug.

capital, one bishop, several clergymen, and many peers and gentlemen. By Charles it was graciously received; but certain passages in it were disapproved in Rome, and censured by the university of Louvain. This did not prevent the leading catholics in Dublin from subscribing their names to a circular letter exhorting the laity to sign the protestation or remonstrance. Ormond, however, ordered the letter to be suppressed; and when other instruments were offered him, similar in their object, but less offensive to the court of Rome in their language, he rejected them as unsatisfactory. In 1666 a synod of the clergy subscribed a new form, founded on the celebrated articles of the Gallican church, but this he also refused to accept. See Walsh, History and vindication, etc., 97. 694. What was Ormond's real motive? "My aim," he says in a private letter, "was to work a division among the Romish clergy, and I believe I had accomplished it to the great security of the government and the protestants, and against the opposition of the pope, and his creatures, and nuncios, if I had not been removed." Carte, ii. App. 101.

* Carte, 261, 5, 6. 70. Orrery, Letters, 134.

be asked, became of the officers who had followed the royal fortune abroad, or of the three thousand catholics who had entered their claims of innocence? To all these, the promises which had been made by the act of settlement were broken: the unfortunate claimants were deprived of their rights, and debarred from all hope of future relief. A measure of such sweeping and appalling oppressions, is perhaps without a parallel in the history of civilized nations. Its injustice could not be denied; and the only apology offered in its behalf, was the stern necessity of quieting the fears and jealousies of the Cromwellian settlers, and of establishing on a permanent basis the protestant ascendancy in Ireland.*

Its consequences.

Though, to facilitate the execution of the act, it was provided that any doubt on its construction should be interpreted in favour of the protestant party; yet so many difficulties occurred, that several years elapsed before the settlement was completely accomplished. The following is the general result. The protestants were previously in possession of about one moiety of all the profitable lands in the island: of the second moiety, which had been forfeited under the commonwealth, something less than two-thirds was by the act confirmed to the protestants; and of the remainder, a portion almost equal in quantity, but not in quality, to one-third, was appropriated to the catholics.†

* Clar. 112, 134. Carte, 310—6. Irish St. vol. iii. 2—137.

† From a valuable MS. paper belonging to Sheffield Grace, Esq., and published by him in his interesting Memoirs of the Family of Grace, it appears that the profitable lands forfeited in Ireland under the commonwealth, amounted to 7,708,237 statute acres, leaving undisturbed about 8,500,000 acres belonging to the protestants, the constant good affection men of the Irish, the church, and the crown, besides some lands never seized or surveyed.

In 1657, the forfeited lands had been disposed as follows:—

GRANTED TO THE ENGLISH.

	St. Acres.
Adventurers	787,326
Soldiers	2,385,915
Forty-nine officers	450,380
Royal Highness Duke of York	169,431
Provisors	477,873
Duke of Ormond and Col. Butler's lands	257,516
Bishop's augmentations	31,596
	4,560,037

GRANTED, OR DISPOSED OF TO THE IRISH.

	St. Acres.
Decrees of innocence	1,176,520
Provisors	491,001
King's letters of restitution	46,398
Nominees in possession	68,360
Transplantation	541,530
	2,323,809

The forty-nine officers are those who claimed arrears for service under the king before 1649. The duke of York received a grant of all the lands held by the regicides, who had been attainted. Provisors, were persons in whose favour provisoes had been made in the acts. Nominees were the catholics named by the king to be restored to their mansion-houses and two thousand acres contiguous. Transplantation refers to the catholics whom Cromwell forced from their own lands, and settled in Connaught.

There remained 824,391 acres still unappropriated, which were parts of towns, or possessed by English or Irish without title; or, on account of some doubts, had never been set out. Mem. 37—39.

CHAP. III.

CHARLES II.

MARRIAGE OF THE DUKE OF YORK.—OF THE KING.—SALE OF DUNKIRK.—INDULGENCE TO TENDER CONSCIENCES.—ACT AGAINST CONVENTICLES.—WAR WITH THE UNITED PROVINCES.—GREAT NAVAL VICTORY.—THE PLAGUE IN LONDON.—FIVE-MILE-ACT.—OBSTINATE ACTIONS AT SEA.—GREAT FIRE OF LONDON.—PROCEEDINGS IN PARLIAMENT.—INSURRECTION IN SCOTLAND.—SECRET TREATY WITH FRANCE.—CONFERENCES OPENED AT BREDA.—THE DUTCH FLEET IN THE THAMES.—PEACE OF BREDA.—FALL OF CLARENDON.

National immorality.

AMONG the immediate consequences of the restoration, nothing appeared to the intelligent observer more extraordinary than the almost instantaneous revolution, which it wrought in the moral habits of the people. Under the government of men making profession of godliness, vice had been compelled to wear the exterior garb of virtue; but the moment the restraint was removed, it stalked forth without disguise, and was everywhere received with welcome. The cavaliers, to celebrate their triumph, abandoned themselves to ebriety and debauchery; and the new loyalists, that they might prove the sincerity of their conversion, strove to excel the cavaliers in licentiousness. Charles, who had not forgotten his former reception in Scotland, gladly availed himself of the opportunity to indulge his favourite propensities. That affectation of piety and decorum which had marked the palace of the protector, Oliver, was soon exchanged for a perpetual round of pleasure and revelry; and the court of the English king, if inferior in splendour, did not yield in refinement and voluptuousness, to that of his French contemporary, Louis XIV. Among the females who sought to win his attention, (and this, we are told, was the ambition of several,*) the first place, both for beauty and influence, must be allotted to Barbara Villiers,

* Reresby, 7.

daughter of viscount Grandison, and wife to an Irish gentleman of the name of Palmer. On the very day of the king's arrival in the capital, she established her dominion over his heart, and contrived to retain it for years, in defiance of the inconstancy of his disposition, and of the intrigues of her rivals. With her Charles generally spent several hours of the day; and, even when the council had assembled to deliberate in his presence, the truant monarch occasionally preferred to while away his time in the bewitching company and conversation of his mistress.*

Private marriage of James. 1660. Sept. 13.

James and Henry, the dukes of York and Gloucester, religiously copied the example set them by their sovereign and elder brother. But before the lapse of six months, Henry was borne to the grave;† and soon afterwards it began to be whispered at court, that James was married to a woman of far inferior rank, Anne, the daughter of the chancellor Hyde. The duke had become acquainted with her in the court of his sister, the princess of Orange, to whom she was maid of honour. Anne possessed few pretensions to beauty; but wit and manner supplied the place of personal charms:‡ she attracted the notice of the young prince, and had the address to draw from her lover a promise, and afterwards a private contract, of marriage. From the Hague, she followed the royal family to England; and, in a few months her situation induced James to marry her clandestinely, according to the rite of the church of England,§ and to reveal the important secret to the king, whose objections (for he heard it with pain) were soon subdued by the passionate importunity of his brother. To most fathers this alliance would have proved a subject of joy; but Hyde, with expressions of anger, the extravagance of which might have provoked a doubt of its reality, affected to deplore the disgrace of the royal family, and advised Charles, after the precedents of former reigns, to send the presumptuous female to the Tower. Unable to persuade the king, who perhaps laughed at his officiousness in secret, he confined, in virtue of his parental authority, the undutiful daughter to a room in his own house; while, by the connivance of one of the family,

1659. Nov. 24.

1660. Sep. 3.

* "He delighted in a bewitching kind of pleasure called sauntering." Sheffield, ii. 78.

† The king mourned in purple. Pep. i. 139.

‡ La duchesse de York est fort laide, la bouche extraordinairement fendue, et les yeux fort eraillés, mais très courtoise. Journal de Monconis, p. 22, Lyons, 1666. Hamilton says, that she had l'air grand, la taille assez belle, et beaucoup d'esprit. Mém. de Grammont, i. 149, Edition de Cazin. Pepys, that she was a plain woman, like her mother. i. 188.

§ Kennet's Register, from the council book. 381.

probably the mother, James had free access to the cell of the captive, and sought by his assiduity to console her for the displeasure, whether it were real or pretended, of her father. Neither had the father much reason to complain. The king made him a present of 20,000*l.*, and raised him, by the title of baron Hindon, to the peerage.*

Disapproved by the royal family.

The choice of James was severely condemned by his mother, by his eldest sister, and by the political enemies of the chancellor. The princess of Orange, who had recently arrived in England, declared to the king, that she would never yield the precedence to a woman, who had stood as a servant behind her chair. The queen-mother indulged in terms of the bitterest reproach; and hastened her promised visit to her children, that she might prevent so foul a disgrace to the royal houses of England and France.† Charles Berkeley, whether he was influenced by enmity to Hyde, or by the hope of making his fortune, came to their aid, affirming with oaths that Anne had formerly been his mistress, and bringing forward the earl of Arran, Jermyn, Talbot, and Kelligrew, as witnesses of her loose and wanton behaviour. Lastly, divines and lawyers were produced, grave and learned casuists, who maintained, in presence of the duke, that no private contract of marriage on his part could be valid without the previous consent of the sovereign. The resolution of James was shaken: he interrupted his visits to Worcester-house, and assured his mother and sister, that he had ceased to look upon Anne as his lawful wife.

Sep. 23.

In a few weeks she was delivered of a son. While she lay in the throes of childbirth, her confessor, Dr. Morley, bishop elect of Worcester,‡ standing by the bedside, adjured her in the name of the living God, to speak the truth before the noble ladies, who attended by order

Oct. 22.

* Clarendon, 31, 32.

† She previously intended to come, that she might meet all her children together, and look after her dower. Clar. 32—36. It would appear, that the lands settled on her as her dower, had been in a great measure shared among persons who had a hand in her husband's death. On inquiry, the present holders were found to be Okey, Walton, Scroop, Norton, Pride, Whalley, Edwards, and Tichborne, the king's judges; Dendy, serjeant at arms to the court; Lambert, and Blackwell. Journ. of Com. 1660, June, 23.

‡ Morley tells us, that she was accustomed to receive the sacrament every month, and then proceeds thus: "Always the day before she received, she made a voluntary confession of what she thought she had offended God in, either by omission or commission, professing her sorrow for it, and promising amendment in it; and then kneeling down, she desired and received absolution in the form and words prescribed by our church." Morley, apud Kennet, Register, 385.

from the king. To his questions she replied, that the duke was the father of her child, that they had been contracted to each other before witnesses, and that she had always been faithful to his bed.

Publicly acknowledged. Nov. 10.

For some days James had continued silent and melancholy. The birth of the child, and the assertions of the mother, revived his affection; on examination, Berkeley confessed that his charges against her were calumnies, and the duke, ashamed of his credulity, resolved to do her justice. He visited her at her father's house, sent for her accusers, and introduced them to her by the title of duchess of York. They knelt, she gave them her hand to kiss, and, acting up to the instructions of her husband, never afterwards betrayed any hostility against them. One of her enemies, the princess of Orange, died; and the queen-mother, at the request of the French minister Mazarin, who wished to conciliate the chancellor, desisted from her opposition. Anne was received by her at court with a smiling countenance, and the appellation of daughter; and the new duchess supported her rank with as much ease and dignity as if she had never moved in an inferior situation.*

Dec. 24.

1661. Jan. 1.

Marriage of the princess Henrietta.

This marriage was founded in affection: two others followed, the origin of which is to be sought in the policy of courts. The treaty which Mazarin concluded with Cromwell had taught the French monarch to value the aid of that power by which he had been enabled to conclude with honour and profit the long and expensive war with Spain. Still Spain was a formidable rival; the existing peace was considered by the two cabinets as only a breathing time preparatory to the renewal of hostilities: and Louis, to secure the services of England under the restored dynasty, resolved to cultivate the friendship of the prince whom, to gratify Cromwell, he had formerly excluded from his dominions. To secure this became, during the whole reign of Charles, one great object of French policy; and the first step taken was the proposal, through the queen-mother, of a marriage between Henrietta, the youngest sister of Charles, and Philip, the only brother of Louis. To Henrietta it opened a brilliant and seducing prospect: by the English king it was received with joy and gratitude; and the ceremony was performed with becoming magnificence, soon after the return of the princess with her mother to France.†

March 31.

* See Clarendon's very minute and ridiculous account of the whole transaction, 28—40. Pepys, i. 144, 50. 57. 62. 64, 65. Mem. de Gram. i. 233—241.

† These reasons are assigned by Louis himself, as his motive for propos-

Charles himself, in 1659, with the hope of repairing by the assistance of France the loss which his interests had suffered from the defeat of sir George Booth, made the offer of his hand to the niece of the cardinal Mazarin; but that minister, having received an unfavourable account of the royal party in England, modestly declined the honour, as far above the pretensions and the wishes of his family. In a few weeks the tide of popular feeling turned in favour of royalty, and Mazarin sought to renew the negotiation; but the king's ardour for the lady had already cooled: to recover his crown, he wanted not the assistance of her uncle; and he was unwilling to bind himself in the trammels of wedlock.* After his return, the more sober among his counsellors saw with pain the scandal which he gave by his amours; they repeatedly and earnestly advised him to marry; and at last the example of his brother induced him to think seriously on the subject. But against the royal and princely families in the north of Europe he had, from some cause or other, contracted an invincible antipathy; and to marry a catholic princess from the south was likely to shock the religious prepossessions of the majority of his subjects. From this state of indecision he was drawn by a tempting proposal, made through the Portuguese ambassador, at the secret instigation of the French court. During the war between France and Spain, Portugal, with the aid of the former, had preserved its independence; but, by the treaty of the Pyrenees, Louis had bound himself to leave the house of Braganza and its rebellious adherents to their fate. It was not, however, his intention that Portugal should be again incorporated with Spain, and, aware that the king Alphonso, a weak prince under the guardianship of his mother, could oppose no effectual resistance to his more powerful foe, he suggested to the court of Lisbon a marriage between Donna Caterina, the king's sister, and Charles king of England. It would induce the English monarch to support the pretensions of his wife's family, and would open a new channel, through which France might forward assistance to Portugal without any manifest violation of its friendly relations with Spain.† The advice

Portuguese match proposed.

ing the marriage. OEuv. i. 61. Charles, by the marriage contract, bound himself to give his sister 40,000 jacobuses, by way of portion, and 20,000 as a present. Dumont, vi. par. ii. p. 354.

* James, Memoirs, i. 395.

† Le premier, de soutenir les Portugais que je voyois en danger de succomber bientôt sans cela; le second, de me donner plus de moyen de les assister moi-même, si je le jugeois nécessaire, nonobstant le traité des Pyrénées, qui me le défendoit. Louis, OEuvres, i. 62. It is amusing to observe how the royal casuist proceeds to justify this underhand dealing, the sending, under false names, of forces to the aid of a power, which he had bound himself by treaty entirely to desert. He tells us that the experience

was adopted; and Francisco de Mello, the ambassador in London, offered with the princess a dower of 500,000*l.*, the possession of Tangier on the coast of Africa, and of Bombay in the East Indies, and a free trade to Portugal and the Portuguese colonies. Charles consulted Hyde, Ormond, Southampton, and Nicholas; their advice concurred with the royal inclination; and De Mello was given to understand that the proposal would be accepted.*

Opposition of the Spanish ambassador.

The treaty with this minister had not escaped the notice of Vatteville, the Spanish ambassador, who, the moment he discovered its real object, represented to the king, that Spain would never forego her claim to the crown of Portugal; that the Donna Caterina was known to be incapable of bearing children; and that a marriage with her would infallibly lead him into a war, and deprive his subjects of the Spanish trade; but that, if he chose to take one of the two princesses of Parma, Philip would give with either the dower of a daughter of Spain. Charles began to waver; he listened to the suggestions of the earl of Bristol, the enemy of the Portuguese match; and that nobleman proceeded by his order on a secret mission to the city of Parma. There he saw the two princesses on their way to church, and nothing more was necessary to hasten his return. One was so plain, the other so corpulent, that he dared not recommend either to the royal choice.†

The French king advises it. March.

In the meantime Charles had been recalled to his first intention by the remonstrances of his advisers, and the arguments of the French king. Bastide, secretary to the late ambassador, Bordeaux, arrived in England with a commission to purchase lead for the royal buildings in France; but, in a private conference with Hyde, he informed that minister that his real object was to propose the means of establishing a private communication between the two kings, to be conducted by the chancellor on one part, and Fouquet on the other, without the knowledge of their colleagues in the cabinet, or of the ordinary ambassadors at either court. Charles eagerly accepted the proposal; and the correspondence was maintained during

of centuries had taught the French and Spanish courts to know the real import of the words employed in the treaties between them: that the expressions "perpetual peace" and "sincere amity," etc., were used with as little meaning as compliments in ordinary conversation; and that neither party expected anything more from the other than to abstain from manifest and public violations of the articles, while each remained at liberty to inflict on his rival, by clandestine and circuitous means, every injury in his power. This necessarily followed from the great principle of self-preservation, Ibid. 63—65.

* Clarendon, 78—81.

† Clarendon, 86—89. Clarendon, Pap. Supplem. ii. viii.

five months, till the disgrace of Fouquet. During that time Louis continually inculcated the advantages of the Portuguese match, offered Charles a considerable sum of money to purchase votes in the parliament, consented to lend him 50,000*l.* whenever he might want it, and engaged to furnish two millions of livres in the event of a war between England and Spain.* Thus was laid the foundation of that clandestine and confidential correspondence between Charles and Louis, which, in a short time, rendered the king of England the pensionary, and therefore, in a great measure, the dependent, of his good brother, the king of France. Aug. 26.

But Vatteville did not long rely on the success of Bristol's mission. The representative of the catholic king undertook to dissuade Charles from marriage with a catholic princess; he proposed to him a daughter of the king of Denmark, or of the elector of Saxony, or of the prince of Orange, and engaged that his master should give with any of them the same portion which had been offered with a princess of Parma. At the same time he sought to form a party in the parliament and the city. He opened his table to the discontented, distributed money to the needy, and scattered in the streets printed copies of his memorials against a catholic, and of his offers in favour of a protestant, match. But these efforts proved fruitless. The amount of the dower, the settlements in the Mediterranean and the East Indies, and the concession of an unrestricted trade to Portugal and its dependencies, presented advantages certain and present; while the dangers predicted on the score of the infanta's religion were at the best distant and uncertain. A full council of eight-and-twenty members had, without a dissentient voice, advised the king to conclude the marriage; the two houses presented to him addresses of approbation; the treaty was signed; and Montague, now earl of Sandwich, received the command of a fleet, with instructions to cruise in the Mediterranean, and, at the appointed time, to bring the Portuguese princess to England.† Resolved in the council. March 28. May 3. May 2. May 8. June.

* Clarendon, 90. OEuvres de Louis XIV. i. 67, and the correspondence itself in the supplement to the third volume of the Clarendon papers, i—xv. Charles acquainted no one but his brother James with the secret. Two others were employed in it; Bastide, as secretary to Fouquet, and lord Cornbury, Clarendon's eldest son, as secretary to his father. Hyde had the prudence or the honesty to refuse an offer of 10,000*l.* from Louis, though both Charles and James laughed at his simplicity, but he afterwards accepted a present of all the books which had been printed at the royal press, in the Louvre. Clar. 92; pap. iii. Supplem. i. xi. xiv.

† Clarendon, 89. Papers, iii. Sup. ii. v. vi. vii. L. Journ. xi. 241. 4. 252. Kennet, Reg. 431.

Rencontre between the two ambassadors.

Vatteville bore the disappointment with impatience, and whether he thought to mortify the French court for its interference, or only to gratify the pride of his countrymen, he announced his intention of reviving the ancient quarrel for precedency between the crowns of France and Spain. On the first occasion, the entry of Carara, the Venetian ambassador, Charles prevailed both on Vatteville and on D'Estrades, the representative of Louis, to take no part in the ceremony; but the latter was reproved for his condescension by his court; each prepared to assert his claim on the next opportunity, the expected entry of Brahé, the Swedish ambassador, and the king, unable to restrain these champions of vanity, forbad his subjects by proclamation to interfere in the contest. D'Estrades summoned every Frenchman in London, on his allegiance, to support the honour of his sovereign; he sent for reinforcements to Boulogne of which he was governor, and introduced into his house in disguise several of the officers and troopers belonging to that garrison. Vatteville, who could not muster so formidable a force,* sought to compensate by art for inferiority of number, ordering the traces of his carriage to be made of chains of iron covered with leather, and allotting to each of his followers his particular station and employment. The Tower wharf was selected for the field of battle; at noon arrived the carriage of the Spanish ambassador with about forty servants in liveries; and about two, that of the French ambassador, attended by one hundred persons on foot, and about forty on horseback, armed with pistols, or musquetoons and carbines. At three Brahé landed at the stairs; and the moment he departed in one of the royal carriages, those of the two ambassadors started for the place of honour. The opposite parties charged each other; the shouts of the crowd animated the combatants; blood began to flow, and more than fifty persons were killed or wounded in this extraordinary fray. The victory remained with the Spaniards. The French coachman fell from his seat; the horses were disabled, and the traces cut. Vatteville's carriage instantly took the place of honour; its attendants, though repeatedly charged, gallantly repulsed the assailants; and the conquerors, as they passed through the streets, were loudly cheered by the populace and the soldiery.† Louis received the news with feel-

July 20.

Sep. 30.

* D'Estrades assured his master that the Spaniards were aided by several thousand Englishmen. He can only mean that they encouraged the Spaniards by their shouts.

† "It is strange to see how all the city did rejoice. And, indeed, we do all naturally love the Spanish, and hate the French." Pepys, i. 223. I have

ings of grief and indignation, not that he lamented the fate of those whose lives had been so wantonly sacrificed, but that he deemed his reputation lowered in the opinion of other powers, because the representative of a rival crown had gained the superiority in a senseless and disgraceful quarrel. Without a moment's hesitation he sent Fuensaldagna, the Spanish minister, out of his dominions, demanded ample reparation from the court of Madrid, and refused to listen to any accommodation, till Philip had expressed his sorrow at so untoward an occurrence, recalled his pugnacious representative from London, and promised that his ambassadors should always absent themselves from ceremonies, in which there might be danger of their coming into competition with those of the French crown.*

In the meanwhile, the earl of Sandwich with the English fleet, having swept the Mediterranean of the Turkish corsairs, and made a bold, but fruitless attempt on the shipping behind the mole at Algiers, received from the Portuguese possession of Tangier, part of the marriage portion of the infanta. The return of spring summoned him to Lisbon, and Donna Caterina, bidding adieu to her relatives and native land, embarked on board his ship, the destined bride of the English monarch.† Arrival of the princess. 1661. July 31. 1662. Jan. 30. April 13.

To Mrs. Palmer the approaching marriage was a subject of anxiety and distrust. Charles, that he might pacify the temper of his imperious mistress, redoubled his attentions. He generally dined and supped at her house; he made her the most costly presents; he created her husband, against his will, earl of Castlemain in Ireland, with remainder to the issue male of the body of his wife, the lady Barbara, and he solemnly promised, that, instead of banishing her from court, he would appoint her lady of the bedchamber to the new queen. The birth of a son at Hampton-court confirmed her influence over her lover.‡

taken the particulars of this fray from Evelyn's official account, ii. 458. Pepys, i. 2—214. Clarendon Papers, iii. Suppl. xvii. Rugge's MS. 297, and Louis XIV. i. 118.

* OEuvres de Louis, i. 125. 131. Dumont, vi. part. ii. p. 403, 4. Para se abstengan y no concurran con las embaxadores y ministros de V. Majestad en todas las funciones y ceremonias publicas. Dumont ibid. This voluntary absence was explained by Louis to be an acknowledgment of his superior rank; and it is amusing to observe how vain he was of it. Je ne scais, si depuis le commencement de la monarchie il s'est rien passé de plus glorieux pour elle——c'est une espèce d'hommage, qui ne laisse plus douter à nos ennemis même, que notre couronne ne soit la premiere de toute la chrétienté.——C'étoit un malheur que ce tumulte de Londres; ce seroit maintenant un malheur qu'il ne fût pas arrivé. i. 132. 136.

† Kennet's Register, 512—617. 652. Clarendon, 165.

‡ Pepys, i. 235. 245. 264. 267.

King's behaviour to her. May 20.

On the arrival of the fleet at Spithead, Charles quitted the house of Castlemain to meet the infanta. In point of personal attractions and fashionable acquirements, she could not stand the competition with her dazzling and formidable rival: yet she was not without claims to beauty; her good nature and good sense gave a charm to her conversation, and the more she was known, the more she displayed the amiable qualities of her heart. The king was gratfied beyond his expectations; he thought himself fortunate in the acquisition of such a wife, and so little did he know of his own heart, that he boasted to his friends of the pattern of conjugal fidelity which he should thenceforth set to his court.* The royal pair came by easy journeys to Hampton-court, and lived for a few days in the most edifying harmony. But it was not the intention of Charles to estrange himself from the company of Castlemain, nor had he forgotten the imprudent promise which had been wrung from him by her tears. One day, taking "the lady" (such was her usual designation), by the hand, he presented her to the queen in the midst of a brilliant court. Catherine was able to subdue her feelings for the moment. She gave to her rival a most gracious reception: but in a few minutes her eyes were suffused with tears; the blood gushed from her nose; and she was conveyed in a fit to her apartment.† By the king, this incident was considered a most heinous offence. He declared that he would never submit to the whims of his wife: he had been the cause of Castlemain's disgrace; he was bound in honour to make her reparation. His dissolute companions applauded his firmness: Ormond and Clarendon ventured to remonstrate against the indecency and cruelty of the appointment. To their surprise, he replied, that whoever should oppose his design, would become the object of his everlasting displeasure, and that they, if they wished to please him, should employ their influence to overcome the obstinacy of the queen.‡ Clarendon had the meanness to undertake an of-

* If Hume talk of "the homely person" of Catherine, others who knew her better, describe her differently. Clarendon, Contin. 167. Clar. Pap. iii. Supplem. xx. Charles himself, in a letter to the chancellor, speaks of her thus: "her face is not so exact as to be called a beauty, though her eyes are excellent good, and not any thing on her face that in the least degree can shoque one. On the contrary, she has as much agreeableness in her looks altogether, as ever I saw; and, if I have any skill in physiognomy, which I think I have, she must be as good a woman as ever was born. Her conversation, as much as I can perceive, is very good; for she has wit enough, and a most agreeable voice. You would much wonder to see how well we are acquainted already. In a word, I think myself very happy." Macpherson Papers, i. 22. note.

† Clarendon, 168.

‡ See the letter of Charles, note, [B].

fice which he abhorred; but Catherine refused to listen to his advice. Charles at the same time subjected her to the most painful mortifications. The Portuguese ambassador was insulted on her account; her countrywomen were sent back to Portugal; Castlemain was daily introduced into her apartment, where the mistress received the attentions of the king and the courtiers, while the queen sate alone, silent and unnoticed. For several weeks she maintained the unequal contest; at last her resolution failed: she consented to accept the services of her rival, and even treated her with kindness in private as well as public. But it was now too late: Charles applauded himself for his victory over what he called her wayward and wilful temper; and those who had before admired her constancy, pronounced her a weak and mutable woman.* The empire of Castlemain was established. She waited, indeed, (for such was the will of the king,) on Catherine; to the scandal of all good protestants, she even attended her to mass; but, on other occasions, the mistress proved the centre of attraction; the king was always to be found at her suppers and entertainments; officers were placed and displaced at her suggestion; and she at last obtained the higher rank of duchess of Cleveland for herself with remainder to Charles and George Fitzroy, her children by the king. Catherine, on the contrary, abstained from all political intrigues; and, notwithstanding the prejudice against her religion, by her continual study to please her husband, the meekness with which she bore her wrongs, and the dignity and grace with which she performed the duties of her station, grew daily in the esteem of the public. Charles himself condemned, though he did not reform, his conduct, and, on occasion of her sickness, displayed all the anxiety and grief of the most affectionate husband. The physicians had despaired of her life; and when she prayed him to allow her body to be interred with the remains of her fathers, and to protect her native country from the tyranny of Spain, he fell on his knees, and bathed her hands with his tears. Yet from this affecting scene he repaired immediately to the house of Castlemain, and sought amusement in the conversation of a new mistress, la Belle Stuart, the daughter of Walter, son of Lord Blantyre.† Catherine, however, recovered, and the king pursued his wonted course of dissipation and gallantry.

1662. Oct. 2.

* Clar. 169—180.

† Letters du comte de Comminges, Pepys, v. App. 455, 456. He was sure to find Stewart at Castlemain's, for, "il menaça la dame, où il soupé tous les soirs, de ne mettre jamais le pied chez elle, si la demoiselle n'y étoit." 455. See also the Diary of Pepys himself, ii. 41. 50. 61. 103. 5, 6, 116. 143. 355.

Sale of Dunkirk.

With the infanta, Charles had received in money and merchandize a portion of 350,000*l.* This sum afforded a temporary relief to the needy monarch; but the expenses of the armament under lord Inchiquin for the protection of Portugal; and of the expedition destined to take possession of Bombay; soon involved him in fresh pecuniary embarrassments. The chancellor, to whose negligence he imputed the insufficient provision made for him by the convention parliament, saw that, to prop up his declining credit, it was necessary to discover some new resource; and he suggested to Charles and the duke of York, the sale of

1662. May 19.

Dunkirk to the French king. A few weeks only had elapsed since he had described in strong colours the advantages which the nation derived from the possession

June 29.

of that sea-port: Charles, however, assented to the proposal; Billings was secretly despatched to Paris; and D'Estrades, who had been appointed ambassador to Holland, came to England, at the invitation of the king, but under pretence of private business, in his way to the Hague. Clarendon's first attempt was to shift the responsibility of the measure from himself to the council; and with that view Charles mentioned it at his house before the duke, the treasurer, the lord-general, and the earl of Sandwich, who, though they acknowledged that the charge of the place, amounting to the annual sum of 120,000*l.* exceeded its real value, were still unwilling to part with it, unless at a price which might justify the sale in the eyes of the public. The negotiation now be-

Aug. 7.

gan. Clarendon asked twelve, D'Estrades offered two millions of livres; but the first descended by degrees to seven, the other rose to four, and the bargain was

Sep. 11.

at last concluded for five millions. Here, however, a new difficulty arose. Charles required to be paid in ready money; Louis would only advance two millions at once, and pay the remaining three by instalment; in the course of two years. Both were inflexible; and D'Estrades

Sep. 15.

had sent his servants on board a vessel preparatory to his departure, when an expedient was proposed and accepted, that Louis should give bills for the remainder, payable at different dates, which Charles might sell at the

Oct. 17.

highest price which he could procure. The treaty was now signed; and the conditions on both sides were faithfully executed.* But the French king proved too

* Clarendon, in the continuation of his own life, has given a detailed account of this transaction, written evidently for the purpose of exculpating himself: but his narrative is perpetually belied by the original documents in the "Lettres d'Estrades, 279. 282, 383. 421, etc. in the supplement to the

adroit for his English brother. A banker from Paris arrived in London, and, after a short negotiation, discounted the bills at something more than sixteen per cent. But the man was in realty a secret agent of the French cabinet; the money which he paid was supplied by the French treasury; and Louis, by this artifice, was enabled to buy up his own securities at a profit of five hundred thousand livres.*

Though Charles and his ministers congratulated themselves on their success, they afterwards looked back on it with feelings of regret. The sale of Dunkirk had no small influence on the subsequent fortune of each. The possession of it had flattered the national pride: it was a compensation for the loss of Calais; it might equally open a way into the territory of England's most ancient and natural enemy. But Charles had sold it, not, it was said, to defray the expenses of the state, but to satisfy the rapacity of his mistresses, and to indulge in his wonted extravagance; and Clarendon had advised the sale, not through any wish to gratify his sovereign, but in consequence of an enormous bribe from the king of France. This charge was undoubtedly false; but the magnificent pile which he built for the residence of his family, was taken as a proof of his guilt, and the name of Dunkirk-house, which it soon obtained, served to confirm and perpetuate the belief of the people.† The public discontent began to be openly expressed; Charles saw a formidable party growing up against him; and Clarendon, after a protracted struggle, submitted to his fate, and fled to the continent.‡

Disputes respecting toleration.

We may now proceed to an important and perplexing question, on which it was impossible for the king to decide, without giving offence to a considerable portion of his subjects—the indulgence to tender consciences, which he had promised in the declaration from Breda. Two years had been suffered to elapse, and yet he had done nothing to fulfil, but much that seemed to violate, his word. The advocates of intolerance maintained that he was no longer bound by the declaration. To whom, they asked, had it been made? To the parliament then sitting? But that parliament had released him from all responsibility,

third volume of the Clarendon Papers, xxi—xxv., in Combe's sale of Dunkirk, London, 1728, and Pepys, ii. 369."

* Je gagnai sur ce marché cinq cent mille livres, sans que les Anglois s'en apperçussent..... le banquier étoit un homme interposé par moi, qui, faisant le paiement de mes propres deniers, ne profitoit point de la remise. Œuvres de Louis XIV. i. 176.

† Pepys, ii 250.

‡ It is singular, that though Clarendon had spent so many years in exile, he employed Bellings, throughout the negotiation, as interpreter between him and D'Estrades.

by neglecting to remind him of the subject. To the people at large? But the people had transferred their rights to their representatives in the succeeding parliament, and those representatives had set the question at rest by enactments incompatible with such indulgence.* This sophistry, however, did not satisfy the royal mind. Charles thought himself bound in honour to redeem his pledge; and, anxious as he was to replace the church on its former foundation, he still deprecated every measure which savoured of hardship or persecution against those who dissented from it. At the request of the presbyterians, whose deputies were introduced to him by the lord-general, he promised to suspend the execution of the act of uniformity for three months, provided they would consent to read the book of common prayer during that period. Clarendon, though he disapproved of the promise, thought that, since it had been made, it ought also to be observed; but the bishops and their friends pronounced it dangerous; the judges illegal; and all agreed that, in defiance of the royal prohibition, the patrons of benefices held by non-conformists would present on the appointed day, and that their presentations would be allowed by the courts of law. With feelings of shame the king recalled his word: the act came into force on the 24th of August, and two thousand ministers (the number is perhaps exaggerated,) resigned, or were deprived. The whole kingdom resounded with apologies on the one side, and complaints on the other. It was said that those who would not comply with the regulations, ought not to partake of the good things, of the church; that the non-conformists were previously intruders; and that they suffered no more than they originally inflicted. It was replied, that the established clergy were ejected during the rage of civil war, the ministers in a season of domestic tranquillity: the former incumbents by their hostility provoked the resentment of the ruling power; the present by their services in the restoration deserved its gratitude: the crime of the first was their political conduct; of the latter adhesion to the dictates of conscience: then a pittance at least, one-fifth of the income, was reserved for the family of the sufferer; now he was turned adrift, with no other resource but the casual benevolence of the pious and the humane.†

Aug. 24.

Declaration of indulgence.

The king, though he had been compelled to yield, yet held himself bound by his promise; and this feeling was kept alive by repeated petitions from the presbyterians, the independents, and the Ro-

* Kennet's Reg. 850. Address of Commons, Journ., Feb. 27, 1663.
† Clarendon, 156—160. Kennet, 747.

man catholics, who all claimed the benefit of the declaration from Breda.* The question was again referred to the council; the leading members argued against indulgence; Robartes, lord privy seal, and Bennet, the new secretary of state, in its favour. The sovereign, they contended, possessed in virtue of his supremacy, the right of suspending penal laws in matters of religion; James and Charles had raised a yearly revenue by the sale of such protection; and the king might lawfully exercise a power which had never been denied in his father or grandfather. The suggestion was approved; and notice of the royal intention was given in the declaration which he published for the purpose of refuting "the four scandals on the government." Dec. 6. 1. The republicans feared, and the discontented maintained, that the act of indemnity had been passed merely as a temporary measure, and that it was still intended to sacrifice, to the revenge and rapacity of the royalists, the lives and fortunes of those who had served the protector or the commonwealth. To this "scandal" the king replied by promising that, as he had freely confirmed, so he would most religiously observe, every provision in the act. 2. The successive revolutions of the last twenty years had taught men to doubt the stability even of the present government. It was the conviction of the royal brothers that, if at the commencement of the civil war, their father had possessed a small regular force, he might at once have put down his opponents; and under this notion, when the army was disbanded, they retained in pay two or three regiments, with three troops of horse guards. The whole establishment did not amount to five thousand men.† Yet this force, small as it was, excited alarm. It might be augmented, and employed not to suppress insurrection, but to subvert the national liberties. Most of the nations on the continent had been originally free: it was by the institution of standing armies that they had been enslaved by despotic monarchs. Charles defended his conduct on the ground of

* Both independents and presbyterians were true to their principles. The independents sought to obtain indulgence for all, catholics as well as others: the presbyterians could not in conscience concur in favour of the catholics, though they would not oppose them. The king might do as he pleased, but they would not advise him, or encourage him to do it. Baxter's Life, part ii. p. 429.

† July 4, 1663. "I saw his majesty's guards, being of horse and foot, 4000 led by the general the duke of Albemarle, in extraordinary equipage and gallantry, consisting of gentlemen of quality and veteran soldiers, excellently clad, mounted and ordered, drawn up in battalia before their maties in Hide-park, where the old earle of Cleveland trail'd a pike, and led the right-hand file in a foote company, commanded by the lord Wentworth his son, a worthy spectacle and example, being both of them old and valiant soldiers." Evelyn, ii. 202. See also the Travels of Cosmo, iii. 306.

necessity. While so many factious spirits were employed in agitating the public mind, neither the person of the sovereign nor the freedom of the parliament, could be secure without an armed force. Of this proof had been furnished by the insurrection under Venner. But let the laws resume their former empire, let the discontented abandon their rebellious designs, and he would reduce that force to the smallest number consistent with the dignity of the crown; for he would not yield to the most liberal among his subjects in his detestation of military and arbitrary rule. 3. By many it was said that the act of uniformity proved him to be a faithless unprincipled persecutor. He denied the charge. He had, in the first place, as in duty bound, provided by the act of uniformity for the settlement of the church; it was his intention, in the next place, to fulfil his promise of securing ease to those who, through the scruples of a misguided conscience, refused to conform. For this purpose, he would make it his special care to solicit from parliament an act enabling him "to exercise with more universal satisfaction that power of dispensing, which he conceived to be inherent in the crown." Nor did he doubt of the concurrence of the two houses. It was a measure to which he was pledged by his declaration from Breda, and without which it was unreasonable to expect the restoration of public tranquillity. 4. But the most pernicious scandal remained, that the king was a favourer of popery. This was the artifice by which so many well-meaning protestants had been seduced to bear arms against his father, and his enemies had recourse to it at the present time with intentions equally disloyal. Of his firm adhesion to the true protestant religion he had given convincing proofs under the most trying circumstances. Yet he could not but know that the greater part of the English catholics had adhered, at the risk of their lives and fortunes, to the cause of the crown, and consequently of the church, against those, who, under the name of protestants, employed fire and sword for the subversion of both; and therefore he openly avowed that he did not mean to exclude catholics from some share of that indulgence which he had promised to tender consciences. It would be unjust to refuse to those who had deserved well, the boon which was granted to those who had not; and the laws against catholics were so rigorous, so sanguinary, that to execute them would be to do violence to his nature. Let them not, however, presume so much on his goodness, as to look for toleration, or to scandalise protestants by the open practice of their worship; otherwise they would find that he knew as well how to be severe when wisdom required it, as

indulgent when charity and a sense of merit claimed indulgence from him.*

But these were doctrines ill-adapted to the intolerant notions of the age. The declaration, instead of making proselytes, was received by the majority of the people with distrust of the motives, and a resolution of withstanding the wishes of the king. They could not comprehend how an attachment to the interests of protestantism could exist with a willingness to grant any portion of indulgence to catholics: they recalled to mind the former reports of the king's apostacy, which had been circulated by the policy of his enemies during the commonwealth, and they openly asserted that he cared little for the sufferings of the dissenters, but merely sought, under the pretence of relieving them, to extend the same benefit to the papists. Charles, at the opening of the next session, condescended to vindicate himself from these aspersions, and, in proof of his own orthodoxy, demanded the enactment of new laws to check the progress of popery. But with respect to the dissenters, he represented it as desirable that the crown were vested with the power of extending indulgence to the peaceable among them, in circumstances when they might otherwise be tempted to expatriate themselves, or to conspire against the state. In accordance with the sentiments of the sovereign, the lord privy seal, aided by lord Ashley, brought into the upper house a bill enabling the king to dispense at his discretion with the laws and statutes, requiring oaths, or subscriptions, or obedience to the doctrine and discipline of the established church. Both houses were immediately in a flame. The lower, though the bill was not before it, presented to the king an address, in which, having thanked him for the other parts of the declaration, they contended that the indulgence which was sought, would amount to the legal establishment of schism, would expose his majesty to the ceaseless importunities of the dissenters, would lead to the multiplication of sects and sectaries, and, ending in universal toleration, would produce disturbance instead of tranquillity, because men of every religious persuasion form a distinct party, pursuing their peculiar interests, and acting in accordance with their peculiar prepossessions. In the higher house, the lord-treasurer placed himself at the head of the opposition: during the first day's debate he was zealously supported by the bishops: on the second day the chancellor, though confined by a se-

Disapproved by both houses.

1663. Feb. 18.

Feb. 23.

Feb. 27.

March 5.

March 12.

* See the Declaration in Kennet, Regist. 848—91.

vere fit of the gout, left his room to lend his powerful aid to the cause of the church, and, in the vehemence of his zeal, indulged in a severity of language highly offensive to the sovereign. Their efforts succeeded; the house passed to a different subject; and the bill was suffered to remain unnoticed on the table.* Though Charles appeared to bear with composure the loss of this his favourite measure, he felt the disappointment keenly: and expressed his opinion to Clarendon with a warmth which surprised and terrified the minister. From that day it became manifest that neither Clarendon nor Southampton possessed his former credit with the sovereign. As to the bishops, Charles hesitated not to charge them with ingratitude and bigotry. It was, he said, to his promise from Breda that they owed their restoration to power, and now they employed that power to prevent him from fulfilling his promise. It was the intolerance of the prelates under his father which led to the destruction of prelacy, and now, as soon as they were replaced in their former situation, they reverted to the practice of intolerance. His carriage altered with his sentiments. Hitherto he had been accustomed to receive and treat them with the most marked respect. But henceforth he was careful to show by his manner that he held them in no esteem; and the courtiers, aware of the change in the royal mind, turned their persons and their sermons into subjects of sarcasm and ridicule.†

The king was, however, doomed to drink more deeply of the cup of mortification. He had asked permission to shelter
March 31. the catholics, who had served the royal cause, from the extreme severity of the penal statutes, and in return both houses presented to him an address for a proclamation ordering all catholic priests to quit the king-
April 2. dom, under the penalty of death. After a faint struggle he acquiesced. The champions of orthodoxy fol-
April 27. lowed up their success; and, affecting to comply with the royal recommendation, introduced a bill to check the growth of popery, but coupled with it another to arrest the diffusion of non-conformity. Both passed with rapidity through the house of commons; but in the house of lords their progress was continually impeded by the objections of the presbyterian and catholic peers; and their patrons, at the close of the session, substituted in their place an ad-
July 25. dress to the king, to put in execution all the penal laws against catholics, dissenters, and sectaries of every description.‡

* C. Journals, Feb. 27, 28. L. Journ. xi. 478. 82. 6. 91.
† Clarendon, 245—9. Life of James, i. 428.
‡ L. Journ. xi. 558. 578. C. Journ. Ap. 27; May 30.

In the summer, the cause of intolerance acquired additional strength from a partial rising of enthusiasts in the northern counties. The government had been apprized of their intentions: the duke of Buckingham, in quality of the king's lieutenant, proceeded with a detachment of guards to York, and summoned the militia; and about fifty persons were arrested in Yorkshire and Westmoreland, of whom several paid the forfeit of their folly with their lives. From their situation in life it was plain that they acted under the secret guidance of others. Some professed the doctrines of the fifth-monarchy men: others justified themselves on the plea that the parliament had sitten more than three years, and that by the triennial act, passed in the 16th of Charles I., in default of writs issued by the king, they were permitted to assemble of themselves for the choice of new members. When Charles opened the next session he embraced the opportunity to suggest the repeal of an act which thus furnished a plea for seditious meetings, while the patrons of intolerance drew from the insurrection a new argument in favour of additional severities for the suppression of religious dissent. A compromise took place. It was, indeed, enacted that parliament should never be discontinued for more than three years; but, to satisfy the king, all the compulsory clauses of the triennial act, which directed the keeper of the great seal to issue writs, and the sheriffs to hold elections, in defiance of the royal pleasure, were repealed: and, on the other hand, Charles reluctantly gave his consent to the conventicle-act, which, it was hoped, would extinguish every form of heterodox worship. All meetings of more than five individuals, besides those of the family, for any religious purpose not according to the Book of Common Prayer, were declared seditious and unlawful conventicles: and it was enacted that the punishment of attendance at such meetings by any person above sixteen years of age should be, for the first offence, a fine of five pounds, or imprisonment during three months; for the second, a fine of ten pounds, or imprisonment during six months; for the third, a fine of one hundred pounds, or transportation for seven years; and that, if the conscience of the offender led him to transgress the law more than thrice, the fine at each repetition of the offence should be augmented by the additional sum of one hundred pounds.* This act, so intolerant in its prin-

Conventicle-act.

Oct.

1664. March 16.

April 5.

May 16.

* Miscel. Aul. 316. 19. 30. L. Journ. 620. C. Journ. Ap. 28; May 12. 14. 16. St. 16. Car. II, c. i. 4. Pepys, ii. 172. The conventicle-act was limited, as an experiment, to the duration of three years. Of the tricks some-

ciple, and so penal in its consequences, was immediately enforced: it equally affected catholics and every denomination of dissenters; but it was felt the most severely by the quakers, because, while others, when they met for the purpose of worship, sought to elude detection, these religionists, under the guidance, as they thought, of the Spirit of God, deemed it their duty to assemble openly, and to set at defiance the law of man. To describe the numerous and vexatious informations, prosecutions, fines, and imprisonments which followed, would only fatigue the patience and pain the feelings of the reader. I may, however, observe, that the world had seldom witnessed a more flagrant violation of a most solemn engagement. Toleration had been offered and was accepted, the king had been restored, and the church re-established; and now, that the price was paid, the benefit was withheld; and, instead of the indulgence promised in the contract, was substituted a system of penalties and persecution. The blame, however, ought not to rest with the king. He did his best to fulfil his word. But the benevolent intentions of the monarch were opposed by the most powerful of his ministers; and the bigotry of these ministers was sanctioned by the prejudices and resentments of the parliament.

Complaints against the Dutch.

Charles had now reigned four years, respected and courted by his neighbours: in an evil hour he was persuaded, against his better judgment, to unsheath the sword, and to encounter the uncertain chances of war. He had formed a correct notion of the importance of commerce to the interests of his kingdom, and was encouraged and seconded by his brother James, in his attempts to improve and extend the foreign trade of the English merchants. With this view, the African company had been established by charter; the duke accepted the office of governor; and the committee of management, of which he was chairman, constantly met in his apartments at Whitehall. The company flourished; they imported gold dust from the coast of Guinea, and supplied, at a great profit, the West India planters with slaves; but they met with formidable rivals in the Dutch traders, who, during the civil war, had erected-

times employed in parliament at these periods the reader may form some notion from the following instances: On the last day of the preceding session a bill for the better observance of the sabbath was stolen off the table, and, when the king came to give the royal assent, was not to be found. Of course it did not pass into an act. In like manner, on the last day of the present session, a proviso to the conventicle-act respecting the quakers was also stolen: but the former accident had awakened the vigilance of the clerk, and he discovered the theft in time to provide another copy of the proviso, and to have it passed through both houses before the king's arrival. L. Journ. xi. 577. 619, 20.

ed several forts along the coast of Africa, and now employed their superior power and influence to thwart the efforts, and arrest the progress, of the English intruders. The African company complained; their complaints were echoed by the East India company, whose commerce was exposed to similar impediments and injuries; and the merchants in the city called aloud for war, to protect their interests, and curb the insolence of the Hollanders. James advocated their cause with his brother. Such, he maintained, was the commercial rivalry between the two nations, that in the course of a few years war would inevitably ensue. But then it would be too late. Now was the proper time, before the race of naval commanders, formed during the commonwealth, should become extinct. But Charles (and he was supported by Clarendon), rejected the advice. He had learned wisdom from the history of his father and his grandfather. They had been driven into war by the clamour of the nation; and the charges of war, in a short time, rendered them dependent on the will of the popular leaders in parliament.*

Contrast between the king and his brother.

There was at this time a marked contrast between the characters of the royal brothers. Charles, though oppressed with debt, scattered his money heedlessly and profusely; James was careful to measure his expenses by the amount of his income. The king seemed to make gallantry the chief occupation of life; the duke to look upon it as an amusement; and, while the one daily spent his time, "sauntering" in the company of his mistresses, the other attended to his duties in the Admiralty with the exactitude of the meanest clerk on the establishment. In point of abilities, Charles was considered superior; but he wanted strength of mind to refuse an importunate suitor, or to resist the raillery and sarcasm of those whom he made his companions. James, with a judgment less correct, and with knowledge less extensive, formed his resolutions with slowness, but adhered to them with obstinacy. His word was esteemed sacred; his friends relied with confidence on his support, whatever sacrifice it might cost him; and his enemies knew that, till he had brought them on their knees, he would never forgive their offences. Yet no diversity of temper or opinion could diminish the affection of the two brothers. James was the most dutiful of subjects; and, however he might disapprove the judgment, he always concurred in seconding the will, of the sovereign. He was easy of access, and affable in discourse; but his constant attention to preserve the dignity of his rank, gave to his manner a stateliness and

* Clarendon, 196—201. Pepys, ii. 173.

distance repulsive of that freedom and familiarity which the laughter-loving king indulged in the associates of his pleasures. In private life the duke was loved by few, but feared or respected by all: in public, his industry was the theme of commendation; and the fame which he had acquired in the French army, was taken as an earnest of his future military prowess.*

Address of the two houses. 1664. March 21.

On the last meeting of parliament, the complaints of the merchants were heard before a committee of the lower house. They contended that the treaty concluded by the Dutch with Cromwell, and since renewed by them with the king, was not yet executed; that the injuries sustained by the English traders had not been redressed, nor the island of Pulo Ron restored; that English ships were still seized and condemned under frivolous pretences; that the natives of Africa and the Indies were frequently induced by promises and bribes to demolish the English factories; that the Dutch, by proclaiming fictitious wars, and establishing pretended blockades, assumed the right of excluding their rivals from the most frequented ports, and that the losses of the English merchants amounted, on a moderate calculation, to the enormous sum of seven or eight hundred thousand pounds.† The committee decided in favour of the complaints; Clifford, the chairman, supported their cause with considerable warmth, and Downing added the weight of his authority, derived from the office which he held as English resident at the Hague, both for the protector and the king. He was a bold, rapacious, and unprincipled man, who under Cromwell had extorted by menaces considerable sums, in the form of presents, from the Dutch merchants, and who now, by the violence of his speeches in parliament, and afterwards by the haughtiness of his carriage to the States, provoked a suspicion that he looked forward to a similar termination of the existing quarrel. The commons voted an address, in which they petitioned the king, to take an effectual course for the speedy redress of these injuries, with a promise to stand by him with their lives and fortunes against all opposition: the lords concurred; and Charles replied, that he would demand justice by his ambassador, and, in case of denial, would rely on the offer which they had made him. Still, to dispassionate observers, it appeared that, with a little conciliation on either part, the quarrel might be amicably adjusted. But Charles no longer listened to the suggestions of prudence: he found that by ac-

April 21.

April 29.

* Sheffield, duke of Buckingham, ii. 78. Mém. de Grammont, i. 141. Burnet, i. 287. Pepys, ii. 143. 188.

† L. Journ. xi. 599, 620. 626..

ceding to the popular wish, he might gratify his personal resentments against the Louvestein faction, which had long ruled the destinies of the republic. That faction had heaped indignities on him during his exile, had stripped the house of Orange, of which his nephew was the head, of its ancient dignities, and what was perhaps a more unpardonable offence, had suffered caricatures to be published in ridicule of his apathy, his amours, and his indigence.* On the other hand, De Witt, who was acknowledged as the Louvestein leader, felt no disposition to make any concession to the menaces of a rival nation. He was resolved to maintain the commercial superiority of his countrymen; he considered the Dutch navy as a match for that of England, and, by a defensive alliance, he had already secured the assistance of France. By some it was thought that the obstinacy of the States had been supported by the intrigues of Louis. But the contrary was the fact. For it suited not the interests of that prince to provoke or foment a quarrel, which must involve him in a war with England, at a time when he meditated hostilities against Spain.†

In the mean while the African company had despatched sir Robert Holmes, with a few small ships of war, to recover the castle of Cape Corse, of which they had been dispossessed by their rivals. Hostilities commenced. In searching a Dutch vessel, he discovered certain documents respecting Valkemberg, the Dutch governor, and the hostile tenor of these papers induced him to exceed his own commission, and to assume offensive operations.‡ He compelled the forts on Goree to surrender, reduced the castle of Cape Corse, destroyed several factories on the coast, and then stretched across the Atlantic to the settlement of New Amsterdam, originally an English colony, and lately recovered by sir Richard Nicholas, who, in honour of the duke, his patron, had given to it the name of New York.§ On the first intelligence of these proceedings, the Dutch ambassador presented an energetic remonstrance to the king, who replied, that the expedition had been sent out by the private authority of the company, that

1664. Feb.

Aug.

* Pepys, ii. 125.

† L. Journ. 600. 3. Com. Journ. Ap. 21. 29. Temple, i. 305. 7. Louis, ii. 5. Le Clerc, ii. 62. Basnage, 711.

‡ The king of Fantine had been supplied with money and ammunition to induce him to attack the English fort at Cormantine. The Dutch denied the charge, but Charles replied, "that he has as full evidence of it, as he can have that there is such a fort." L. Journ. xi. 627.

§ Charles granted this tract of land to his brother, 12th March, 1664. Sir Richard Nicholas was groom of the bed-chamber to the duke of York. Life of James, i. 400. Dalrymple, ii. App. 27. By mistake he has printed the letter with the date of 1669.

Holmes should be put on his trial at his return, and that strict justice should be measured out to all the parties concerned.* With this assurance the States-general were satisfied; but De Witt refused to sit down tamely under the affront. By his intrigues with the States of Holland, he procured an order, loosely and ambiguously worded, to pass through the States-general, and, this with a secret explanation, was forwarded to De Ruyter, the commander of the Dutch squadron in the Mediterranean. He had been sent there to cruize against the Turkish corsairs, in company with Lawson, the English admiral; but now, pretending that he had orders to destroy a squadron of pirates at the Canaries, he separated from his allies, retaliated on the English, along the coast of Africa, the injuries which they had inflicted on his countrymen, and, crossing to the West India islands, captured above twenty sail of English merchantmen. Lawson, through want of instructions, did not follow de Ruyter, but he was careful to inform the duke of York of his probable destination; and, by order of that prince, two English fleets swept the narrow seas of the Dutch traders, which, to the number of one hundred and thirty sail, were carefully guarded in the English ports, as a fund of indemnification to the sufferers from the expedition under De Ruyter.†

July 31. Sep. 25. Oct. 14. 1655. April.

Charles, however, before he would rush blindly, into the contest, determined to secure a provision of money adequate to the undertaking. The charge of the war was calculated at two millions and a half, a sum unprecedented in the annals of English finance: but the passions of the people were roused, and the council had the art to remove from themselves the odium of the demand. By their secret persuasion, sir Richard Paston, a country gentlemen of independent fortune, brought forward the proposition in the house of commons; and when, to carry on the deception, a known dependent of the ministers rose to suggest a smaller sum, he was eagerly interrupted by two members, supposed to have no connection with the court. The artifice escaped notice, and the original motion was car-

Supply voted. Nov. 25.

* Holmes, on his return, was committed to the Tower, but cleared himself to the satisfaction of the king. Heath, Contin. 532. Pepys, ii. 235.

† Life of James I. 403. Clarendon, 225. 227. Le Clerc, ii. 65. 67. Basnage, 714. His majesty's narrative in Lords' Journ. ii. 275. The complaint of Charles in this narrative is confirmed by D'Estrades, who attributes the war to the expedition of Ruyter in obedience to the order of De Witt, "sans attendre, selon la disposition du 14e article de 1662, que le terme d'un (an) fût passé, pendant lequel le roi de la Grande-Bretagne devoit faire réparer l'entreprise du chevalier Holmes." D'Estrades, iv. 315. "Intra anni spatium." Dumont, vi. par. ii. p. 424.

ried, after an animated debate, by a majority of seventy voices The lords assented, and the king issued a declaration of war.* 1665. Feb. 22.

The provisions of this money-bill deserve the reader's attention, because they put an end to the ancient system of taxation, and effected a considerable change in the acknowledged immunities of the clergy. 1. He is aware that, from the commencement of the contest between Charles I. and his parliament, down to the restoration of his son, the manner of raising supplies by grants of subsidies, tenths and fifteenths had been abandoned, for the more certain and less cumbrous expedient of levying monthly assessments on the several counties. The ministers of Charles were not ignorant of the superior merit of the new plan; but, as it was originally a revolutionary measure, and had excited the complaints of the people, they had deemed it prudent, in a former session, to revert to the old monarchical model. The experiment, however, failed; the four last subsidies had not raised more than one half of the sum at which they were calculated; the house consented that the new grant should be levied by twelve quarterly assessments on the counties;† and from that period the ancient subsidies fell into desuetude. 2. Hitherto the clergy had preserved the honourable privilege of taxing themselves, and had usually granted in convocation the same number of clerical subsidies as was voted of lay subsidies by the two houses of parliament. But this distinction could not conveniently be maintained, when money was to be raised by county rates; and it was therefore agreed that the right of the clergy should be waived in the present instance, but, at the same time, be preserved for them by a proviso in the act. The proviso, however, was illusory, and the right has never since been exercised. In return, the clergy claimed, what could not in justice be denied, the privilege of voting as freeholders at elections; a privilege which, though never expressly granted, has since been recognized by different statutes.‡ But a consequence followed from this arrangement, which probably was not foreseen. From the moment that the convocation ceased to vote money, it became of little service to the crown. It was no longer suffered to deliberate, to frame ecclesiastical canons, or to investigate the conduct,

New method of taxation.

Loss of privilege by the clergy.

* Com. Journ. Nov. 25—Feb. 3. Lords' Journ. xi. 654. Clarendon, as usual, will appear inaccurate, if he be compared with the journals. See Clar. 228—231. Pepys tells us that, in framing the estimates, the Admiralty studied to make the charges of the last year as high as possible, ii. 228.

† 17 Car. ii. c. 1.

‡ 10th Anne, c. 23. 18th George, ii. c. 18.

or regulate the concerns, of the church. It was, indeed, summoned, and the members met as usual, but merely as a matter of form; for a royal mandate immediately arrived, and an adjournment, prorogation, or dissolution followed. That, however, which seems the most extraordinary is, that this change in the constitution, by which one of the three estates ceased, in fact, to exist, and a new class of freeholders, unknown to the law, was created, owes its origin, not to any legislative enactment, but to a merely verbal agreement between the lord chancellor and archbishop Sheldon.*

Naval regulations.

From parliament, the lord high admiral hastened to Gunfleet to superintend the naval preparations; Charles, by his commands, and occasionally by his presence, seconded the industry of his brother;† and, before the end of April, the most formidable fleet that England had ever witnessed, was ready to contend for the empire of the sea. The duke, despising the narrow prejudices of party, had called around him the seamen who fought and conquered in the last war; and when the duke of Buckingham and other noblemen, whose only recommendation was their birth and quality, solicited commissions, he laconically replied, that they might serve as volunteers: experience alone could qualify them to command. The future operations were arranged with his council, and, at his suggestion, an improvement was adopted, that something of that order should be introduced into naval, which was observed in military, engagements. It was agreed that the fleet should be divided into three squadrons, the red under the command of the duke, the white under that of prince Rupert, and the blue under the earl of Sandwich; that it should be formed in line preparatory to battle: and that the several captains should be enjoined to keep the stations allotted to them by their respective commanders.‡ James unfurled his flag on board the Royal Charles; ninety-eight sail of the line and four fire ships followed him to sea,§ and for more than a

April 21.

* See Echard, 818. Burnet, i. 340, note iv. 508, note.

† Charles paid much attention to naval affairs. He studied the art of ship-building, and persuaded himself that he could make improvements in it. In a letter to prince Rupert, he says, "I believe that if you trie the two sloopes that were builte at Woolidge, which have my invention in them, they will outsail any of the French sloopes." Lansdowne, MSS. MCCVI. p. 162.

‡ "This was the first war wherein fighting in a line, and a regular form of battle was observed." Life of James, i. 405. This system introduced by the duke was invariably followed, till Clerk's "Essay on Naval Tactics" induced lord Rodney to break through the enemy's line in his victory of the 12th of April, 1782.

§ Three were first rates, eleven second, fifteen third, thirty-two fourth, eleven fifth, and twenty-six merchant ships carrying from forty to fifty guns. Life of James, 405, Macpherson's Papers, i. 31.

month this formidable armament insulted the coast of Holland, and rode triumphant in the German ocean.

At length an easterly wind drove the English to their own shores, and the Dutch fleet immediately put to sea. It sailed in seven divisions, comprising one hundred and thirteen ships of war, under the command in chief of Opdam, an officer, who in the late war had deserved the confidence of his countrymen. It exhibited a gallant and animating spectacle: the bravest and noblest of the youths of Holland repaired on board to share the dangers of the expedition; and, as the admiral had received a positive order to fight, every heart beat high with the hope or assurance of victory. Opdam himself was an exception. His experienced eye discovered, in the insufficiency of many among his captains, and the constitution of their crews, reason to doubt the result of a battle; and to his confidants he observed:—"I know what prudence would suggest: but I must obey my orders, and by this time to-morrow you shall see me crowned with laurel or with cypress."* Victory of the 3d of June.

Early in the morning of the 3d of June the hostile fleets described each other near Lowestoffe. Seven hours were spent in attempts on each side to gain and keep the advantage of the wind: at length the English, by a skilful manœuvre, tacked in the same direction with the enemy, and accompanied them in a parallel line, till the signal was made for each ship to bear down and engage its opponent. The sea was calm, not a cloud could be seen in the sky; and a gentle breeze blew from the south-west. The two nations fought with their characteristic obstinacy; and, during four hours, the issue hung in suspense. On one occasion the duke was in the most imminent peril. All the ships of the red squadron, with the exception of two, had dropped out of the line to refit; and the weight of the enemy's fire was directed against his flag-ship, the Royal Charles. The earl of Falmouth, the lord Muskerry, and Boyle, son to the earl of Burlington, who stood by his side, were slain by the same shot; and James himself was covered with the blood of his slaughtered friends. Gradually, however, the disabled ships resumed their stations; the English obtained the superiority; and the fire of the enemy was observed to slacken. A short pause allowed the smoke to clear away; and the confusion, which the duke observed on board his opponent, the Eendracht, bearing Opdam's flag, induced him to order all his guns to be discharged into her in succession, and with deliberate June 3.

* Basnage, i. 741.

aim. At the third shot from the lower tier, she blew up, and the admiral, with five hundred men, perished in the explosion. Alarmed at the loss of their commander, the Dutch fled: James led the chace; the four sternmost sail of the enemy ran foul of each other, and were consumed by a fire-ship, and three others shortly afterwards experienced the same fate. Van Tromp endeavoured to keep the fugitives together; the darkness of the night retarded the pursuit of the conquerors; and in the morning the Dutch fleet was moored in safety within the shallows.* In this action, the most glorious hitherto fought by the navy of England, the enemy lost four admirals, seven thousand men slain, or made prisoners, and eighteen sail either burnt or taken. The loss of the victors was small in proportion. One ship of fifty guns had been taken in the beginning of the action; and the killed and wounded amounted to six hundred men. But among the slain, besides the noblemen already mentioned were the earls of Marlborough, and Portland, and two distinguished naval commanders, the admirals Lawson and Sampson.†

The plague in London.

At another time the report of such a victory would have been received with the most enthusiastic demonstrations of joy; but it came at a time when the spirits of men were depressed by one of the most calamitous visitations ever experienced by this or any other nation. In the depth of the last winter two or three isolated cases of plague had occurred in the outskirts of the metropolis. The fact excited alarm, and directed the attention of the public to the weekly variations in the bills of mortality. On the one hand, the cool temperature of the air, and the frequent changes in the weather, were hailed as favourable circumstances; on the other, it could not be concealed that the number of deaths, from whatever cause it arose, was progressively on the advance. In this state of suspense, alternately agitated by their hopes and fears, men looked to the result with the most intense

* The result of the victory would have been more complete, had not the Royal Charles during the night slackened sail and brought to, which detained the rest of the fleet. For some time the fact was concealed from the duke, who had retired to rest: but it gradually became known, and, from an inquiry instituted by the house of commons, it appeared that Brunkhard, one of the duke's servants who had been greatly alarmed during the battle, endeavoured at night to persuade the master to shorten sail, lest he should lead the ship into the midst of the enemy; and, failing in this, after a pause, delivered to him an order, or something like an order, to the same effect. Burnet insinuates that the order came from the duke (i. 377); that it was forged by Brunkhard appears from the inquiry before the house (Ibid. 378, note), from Clarendon, 269, and from the Life of James, i. 415.

† There are numerous accounts of this battle: I have preferred that given by James himself. Life, i. 407—415.

anxiety; and, at length, about the end of May, under the influence of a warmer sun, and with the aid of a close and stagnant atmosphere, the evil burst forth in all its terrors. From the centre of St. Giles's the infection spread with rapidity over the adjacent parishes, threatened the court at Whitehall, and, in defiance of every precaution, stole its way into the city. A general panic ensued. The nobility and gentry were the first to flee; the royal family followed; and then all, who valued their personal safety more than the considerations of home and interest, prepared to imitate the example. For some weeks the tide of emigration flowed from every outlet towards the country; it was checked at last by the refusal of the lord mayor to grant certificates of health, and by the opposition of the neighbouring townships, which rose in their own defence, and formed a barrier round the devoted city. June 29.

The absence of the fugitives, and the consequent cessation of trade and breaking up of establishments, served to aggravate the calamity. It was calculated that forty thousand servants had been left without a home, and the number of artisans and labourers thrown out of employment was still more considerable. It is true that the charity of the opulent seemed to keep pace with the progress of distress. The king subscribed the weekly sum of 1000*l.*; the city of 600*l.*; the queen-dowager, the archbishop of Canterbury, the earl of Craven, and the lord mayor, distinguished themselves by the amount of their benefactions; and the magistrates were careful to ensure a constant supply of provisions in the markets: yet the families that depended on casual relief for the means of subsistence were necessarily subjected to privations, which rendered them more liable to receive, and less able to subdue, the contagion. The mortality was at first confined chiefly to the lower classes, carrying off in a larger proportion the children than the adult, the females than the men. But, by the end of June, so rapid was the diffusion, so destructive were the ravages of the disease, that the civil authorities deemed it time to exercise the powers with which they had been invested by an act of James I. "for the charitable relief and ordering of persons infected with the plague."* 1. They divided the parishes into districts, and allotted to each district a competent number of officers, under the denomination of examiners, searchers, nurses, and watchmen. 2. They ordered Regulations to suppress it. July 1.

* St. i James, i. c. 31. In the next session of parliament a bill was introduced to extend these powers, but was lost through the refusal of the lords to allow their houses to be shut up at the discretion of the constables. L. Journ. xi. 698. Marvell, i. 62.

that the existence of the disease, wherever it might penetrate, should be made known to the public by a red cross, one foot in length, painted on the door, with the words, "Lord have mercy on us," placed above it. From that moment the house was closed; all egress for the space of one month was inexorably refused; and the wretched inmates were doomed to remain under the same roof, communicating death one to the other. Of these many sunk under the horrors of their situation: many were rendered desperate. They eluded the vigilance, or corrupted the fidelity, of the watchmen, and by their escape, instead of avoiding, served only to disseminate, the contagion.* 3. Provision was also made for the speedy interment of the dead. In the day time officers were always on the watch to withdraw from public view the bodies of those who expired in the streets; during the night the tinkling of a bell, accompanied with the glare of links, announced the approach of the pest-cart, making its round to receive the victims of the last twenty-four hours. No coffins were prepared; no funeral service was read; no mourners were permitted to follow the remains of their relatives or friends. The cart proceeded to the nearest cemetery, and shot its burthen into the common grave, a deep and spacious pit, capable of holding some scores of bodies, and dug in the church-yard, or, when the church-yard was full, in the outskirts of the parish. Of the hardened and brutal conduct of the men, to whom this duty was committed, men taken from the refuse of society, and lost to all sense of morality or decency, instances were related, to which it would be difficult to find a parallel in the annals of human depravity.†

Symptoms of the disease.

The disease generally manifested itself by the usual febrile symptoms of shivering, nausea, headache, and delirium. In some, these affections were so mild as to be mistaken for a slight and transient indisposition. The victim saw not, or would not see, the insidious approach of his foe: he applied to his usual avocations, till a sudden faintness came on, the maculæ, the fatal "tokens," appeared on his breast, and within an hour life was extinct. But, in most cases, the pain and the delirium left no

* Persons thus escaping, if taken in company with others, and found to have infectious sores upon them, were liable to suffer death as felons: if without sores, to be treated as rogues and vagabonds. Ibid. vii.

† Rugge, MS. 573. Echard, 823. Hodges, Loimologia, 23. De Foe, History of the Plague in London. Though De Foe, for dramatic effect, wrote as an eye-witness, which he could not be, yet his narrative, as to the substance of the facts, is confirmed by all the other authorities. Hodges' and De Foe attribute also the deaths of many to the avarice of their nurses, who destroyed the lives, that they might carry off the money and trinkets of the patients.

room for doubt. On the third or fourth day, buboes or carbuncles arose: if these could be made to suppurate, recovery might be anticipated; if they resisted the efforts of nature, and the skill of the physician, death was inevitable. The sufferings of the patients often threw them into paroxysms of phrenzy. They burst the bands by which they were confined to their beds; they precipitated themselves from the windows; they ran naked into the street, and plunged into the river.*

Terrors of the people.

Men of the strongest minds were lost in amazement, when they contemplated this scene of woe and desolation: the weak and the credulous became the dupes of their own fears and imaginations. Tales the most improbable, and predictions the most terrific, were circulated; numbers assembled at different cemeteries to behold the ghosts of the dead walk round the pits, in which their bodies had been deposited; and crowds believed that they saw in the heavens a sword of flame, stretching from Westminster to the Tower. To add to their terrors, came the fanatics, who felt themselves inspired to act the part of prophets. One of these, in a state of nudity, walked through the city, bearing on his head a pan of burning coals, and denouncing the judgments of God on its sinful inhabitants; another, assuming the character of Jonah, proclaimed aloud as he passed, "Yet forty days, and London shall be destroyed;" and a third might be met, sometimes by day, sometimes by night, advancing with a hurried step, and exclaiming with a deep sepulchral voice, "Oh, the great and dreadful God!"

Desolation of the city.

During the months of July and August the weather was sultry, the heat more and more oppressive. The eastern parishes, which at first had been spared, became the chief seat of the pestilence, and the more substantial citizens, whom it had hitherto respected, suffered in common with their less opulent neighbours.† In many places the regulations of the magistrates could no longer be enforced. The nights did not suffice for the burial of the dead, who were now borne in coffins to their graves at all hours of the day; and it was inhuman to shut up the dwellings of the infected poor, whose families must have perished through want, had they not been permitted to go and seek relief. London presented a wide and heart-rending scene of misery and desolation. Rows of houses stood tenant-

* Hodges, 57. 97—132.

† The weekly returns of the dead for these months were, 1006. 1268. 1761. 2785. 3014. 4030. 5312. 5568. 7496. I take no notice of the distinction made by the bills between those who died of the plague, and those who died of other diseases, because I conceive no reliance can be placed on it.

less and open to the winds; others, in almost equal numbers, exhibited the red cross flaming on the doors. The chief thoroughfares, so lately trodden by the feet of thousands, were overgrown with grass. The few individuals who ventured abroad walked in the middle, and, when they met, declined on opposite sides, to avoid the contact of each other. But, if the solitude and stillness of the streets impressed the mind with awe, there was something yet more appalling in the sounds which occasionally burst upon the ear. At one moment were heard the ravings of delirium, or the wail of woe, from the infected dwelling; at another, the merry song or the loud and careless laugh issuing from the wassailers at the tavern, or the inmates of the brothel. Men became so familiarized with the form, that they steeled their feelings against the terrors, of death. They waited each for his turn with the resignation of the Christian, or the indifference of the stoic. Some devoted themselves to exercises of piety; others sought relief in the riot of dissipation, and the recklessness of despair.

The pestilence abates.

September came; the heat of the atmosphere began to abate; but, contrary to expectation, the mortality increased.* Formerly a hope of recovery might be indulged; now infection was the certain harbinger of death, which followed, generally, in the course of three days, often within the space of twenty-four hours. The privy council ordered an experiment to be tried, which was grounded on the practice of former times. To dissipate the pestilential miasm, fires of sea-coal, in the proportion of one fire to every twelve houses, were kindled in every street, court, and alley of London and Westminster. They were kept burning three days and nights, and were at last extinguished by a heavy and continuous fall of rain. The next bill exhibited a considerable reduction in the amount of deaths; and the survivors congratulated each other on the cheering prospect.† But the cup was soon dashed from their lips; and in the following week more than ten thousand victims, a number hitherto unknown, sank under the augmented violence of the disease.‡ Yet, even now, when hope had yielded to despair, their deliverance was at hand. The high winds, which usually accompany the autumnal equinox, cooled and purified the air; the fever, though equally contagious, as-

Sep. 5.

Sep. 5. 12.

Sep. 12. 19.

* The return for the week ending Sep. 5, was 8252.

† The return fell to 7690.

‡ The number returned was 8297, but it was generally acknowledged that the bills were very incorrect, and seldom gave more than two-thirds of the real number.

sumed a less malignant form, and its ravages were necessarily more confined from the diminution of the population, on which it had hitherto fed. The weekly burials successively decreased from thousands to hundreds, and, in the beginning of December, seventy-three parishes were pronounced clear of the disease.* The intelligence was hailed with joy by the emigrants, who returned in crowds to take possession of their homes, and resume their usual occupations: in February the court was once more fixed at Whitehall, and the nobility and gentry followed the footsteps of the sovereign. Though more than one hundred thousand individuals are said to have perished, yet, in a short time, the chasm in the population was no longer discernible. The plague continued, indeed, to linger in particular spots,† but its terrors were forgotten or despised; and the streets, so recently abandoned by the inhabitants, were again thronged with multitudes in the eager pursuit of profit, or pleasure, or crime.

Dec. 12.

1666. Feb. 1.

From the metropolis the pestilence had extended its destructive sway over the greater part of the kingdom. The fugitives carried the infection with them wherever they found an asylum; and the mortality was generally proportionate to the density of the population.‡ Fortunately it confined its ravages to the land; the fleet continued healthy; and, as soon as the ships damaged in the late engagement were repaired, the duke of York hastened to take the command; but his eagerness was checked by the prohibition of the king, who had been solicited by the queen-mother not to expose the life of the presumptive heir to the uncertain chances of battle. The earl of Sandwich succeeded him, and sailed to watch the hostile navy in the Texel. In the meanwhile two fleets of Dutch merchantmen, the one from the East Indies, the other from Smyrna, valued at twenty-five million of livres, steering round the north of Ireland

Failure of an attempt at Bergen.

* The decrease was as follows, 6460. 5720. 5068. 1806. 1388. 1787. 1359. 905. 544.

† There was not a week in the year in which some cases of plague were not returned. For all these particulars, see Hodges, Loimologia; De Foe; the newspapers of the year; Evelyn, Diary, ii. 245; Ellis, Letters, second series, iv. 35. Pepys, ii. 266. 73. 6. 81. 86. 93. 7. 305. 9, 10. Clarendon, with his usual inaccuracy, makes the number of dead, according to the weekly bills, to amount to 160,000, which, he says, ought, in the opinion of well-informed persons, to be doubled. (Clarendon, 326.) The number of burials, according to the bills, was only 97,306. (Table prefixed to Loimologia.) If we add one-third for omissions, the amount will be about 130,000; but from these must be deducted the deaths from other causes than the plague.

‡ In August of the following year it raged with violence in Colchester, Norwich, Winchester, Cambridge, and Salisbury. Rugge, MS.

and Scotland, had taken shelter in the neutral harbour of Bergen in Norway. The temptation was too powerful for the honesty of the king of Denmark: and, on condition that he should receive a moiety of the profits, he consented to connive at the capture of the Hollanders by the English fleet. Sandwich sailed immediately to Bergen, and Clifford, afterwards lord-treasurer, held an unsatisfactory conference with Alefeldt, the governor. That officer proposed that the English should wait till he had received instructions from Copenhagen; but Sandwich refused; Tyddiman entered the harbour with a powerful squadron; and the Dutch moored their ships across the bay, and raised a battery of forty-one guns on the shore. A sudden change in the direction of the wind compelled the English to cast anchor under the cannon of the castle; but Tyddiman, trusting to the neutrality of the governor, commenced the attack, and had already driven the enemy from most of their defences, when the garrison opened a destructive fire on the assailants. One ship was sunk; the others, cutting their cables, ran out to sea, and the enterprize was abandoned. With whom the blame of the failure ought to rest, Clarendon professes himself unable to determine: Sandwich complained loudly of the duplicity and bad faith of the king of Denmark; but sir Gilbert Talbot, the English ambassador, acquits the Danish authorities, and asserts that Sandwich refused to wait but one day for the arrival of instructions from Copenhagen, under the notion that, by acting without the permission of the Dane, he should exclude him from any right of participation in the expected booty.*

July.

Aug. 3.

Captures by sea.

To the pensionary De Witt, the principal advocate of the war in Holland, to preserve the merchantmen in Bergen was an object of the first importance. Though a mere landsman, he took the command of the fleet, and impatient of the obstruction caused by a contrary wind, sought and discovered a new passage out of the Texel. He sailed to Bergen, and the merchantmen placed themselves under his protection: but the fleet was dispersed by a storm, and Sandwich had the good fortune to capture eight men-of-war, two of the richest Indiamen, and about twenty other vessels. But avarice tempted him to take from the Indiamen a part of their cargo to the value of 2,000*l.*, and the other flag-officers, with his permission, followed his example. The king and the duke as lord high admiral, condemned his presumption: he acknowledged

Sep. 4.

* Clarendon, 270. 277—281. Pepys, ii. 324. Miscel. Aul. 359. Echard, 821; and sir Gilbert Talbot's Narrative among the Lansdowne MSS., 6859, p. 45.

his offence before the council, and was in punishment deprived of the command: but, to save his honour in the eyes of the public, received the appointment of ambassador to the court of Spain.*

Charles, on account of the pestilence in London, had summoned the parliament to meet in Oxford. His object was to obtain another supply of money. The expenses of the war, partly through the want of naval stores,† partly through the negligence and rapacity of the officers, had considerably exceeded the calculations of his ministers, and the whole of the last parliamentary grant was already mortgaged to the creditors of the public. With the king's request, that the two houses, by their liberality, would complete their own work, they cheerfully complied; and an additional grant of 1,250,000*l.*, with a present of 120,000*l.* to the duke of York, was voted without a murmur. The next object which claimed their attention, was the danger to be feared from the enemies of monarchy. Algernon Sydney, and many of the exiles, had hastened to Holland, and offered their services to the States. Whether the latter seriously meditated an invasion of England or Scotland, may be doubted: but they certainly gave naval and military commands to several of the refugees, and encouraged the formation of a council of English malcontents at the Hague. These corresponded with their friends in England; the most sinister reports were put in circulation; strangers, notwithstanding the mortality, were observed to resort to the capital; and information was sent to Monk of secret meetings of conspirators, and of plots for the seizure of the Tower and the burning of the city. Rathbone, Tucker, and six of their associates were apprehended, and paid the forfeit of their lives; but colonel Danvers, the leader, escaped from the grasp of the officers, and found an asylum in the country. Alarmed by this insignificant plot, the parliament attainted several of the conspirators by name, and, in addition, every natural born subject who should remain in the service of the States after a fixed day.‡ These enactments, however, did not satisfy the more timid or

Parliament at Oxford.

Oct. 11.

Oct. 23.

Sep. 1.

Oct. 31.

Five-mile Act.

* Lords' Journ. xi. 687. Clarendon, 300—6. Coke, ii. 38. Miscel. Aul. 361. D'Estrades, ii. 364. Pepys, ii. 324. 9. 347. 352. Evelyn, ii. 248.

† To supply the naval arsenals, Charles, of his own authority, suspended the navigation act, and yet the parliament took no notice of it. Coke, ii. 140.

‡ L. Journ. xi. 688. 692. St. 17. Car. ii. c. 5. Parker, 78—87. Burnet, i. 393. Clarendon, 290. It has often been asserted that these plots, and the correspondence said to be carried on between the disaffected in England and the Dutch, were mere fictions. The following extracts from the letters of D'Estrades, the French minister at the Hague, to his sovereign, will per-

more zealous. During the pestilence, many of the orthodox clergy in the metropolis had persisted with the most laudable constancy in the discharge of their duties; many, yielding to their fears, had skulked away from the scene of danger, and sought security in the country. The presbyterian ministers who had recently been ejected, seized the opportunity to ascend the vacant pulpits amidst the loud cries of their congregations "what must we do to be saved." The self-devotion of these men, who braved the perils of death that they might administer the consolations of religion to their afflicted brethren, is said to have provoked the jealousy of their rivals; and that jealousy, if it really existed, was speedily gratified by new penal enactments. That the law had been violated, no one could deny; but the violation had been committed in circumstances so extraordinary as to be more worthy of praise than censure. To add, therefore, to the legal offence, it was pretended that the ministers had employed the opportunity to disseminate from the pulpit principles of sedition and treason, representing the plague as a visitation from Providence, partly on account of their own expulsion from the churches, and partly on account of the immorality of the sovereign and his court: charges in which it is probable that the indiscretion of one or two individuals was not only exaggerated, but unjustly extended to the whole body. However that may be, an act was passed, prohibiting every non-conforming minister to come, unless he were passing on the road, within five miles of any town sending members to parliament, or of any village in which he had ever lawfully or unlawfully exercised his ministry, under the penalty of a fine of 40*l.* for every such offence, and of six months' imprisonment, if he refused in addition to take the oath of non-resistance. For the better execution of this, the five-mile act, the bishops received from the orthodox clergy the names of all non-conforming ministers within their respective parishes; spies and informers were every where employed and encouraged; and the objects of suspicion were compelled to fix themselves and their families in obscure parts of the country, where they depended for support on their own labour and the casual charity of others. But the oath was still refused; and the sufferings of the victims served only to rivet their doctrines more firmly in the minds of their hearers.*

Oct. 30.

haps prove the contrary. Les états ont de grandes intelligences en Ecosse, et parmi les ministres de leur religion en Angleterre. Mémoires d'Estrades, ii. 383. Oct. 3, 1665. L'Ecosse fait entendre aux états que dès que votre majesté se déclarera, elle a un fort parti à mettre en campagne, et que les ministres de l'Angleterre de la même religion de ceux de ce pays mandent la même chose. Id. 385.

* L. Journ. xi. 700. St. 17. Car. ii. c. 2. Wilkins, Con. iv. 583. But-

De Witt had long sought to strengthen himself and his party with the protection of the king of France; and Louis was not unwilling to purchase the services of a man, who governed the States of Holland, and through them was able to control the other provinces of the republic. To him De Witt had communicated several proposals for the partition of the Spanish Netherlands; and the king, though he nourished a more ambitious project in his own breast, to humour the Dutchman, consented to enter into a negotiation respecting the conditions.* But, in 1665, Philip of Spain died, leaving the crown, and all the dominions dependent on it, to the infant his son, under the regency of Marianne of Austria, the queen-mother. Louis now determined, as he had previously intended, to take possession of Flanders, under the pretence, that by the custom of several provinces in the Netherlands, called the right of devolution, those provinces belonged to his wife, Maria Theresa, the daughter of Philip by his first marriage. It was, indeed, true that Louis by contract, and his young queen by a separate instrument, had solemnly renounced all claim to the succession to the Spanish monarchy in general, and to Flanders, Burgundy, and Charolais in particular:† but it was contended that the king had been released from the obligation of the contract by the non-payment of the marriage portion on the part of Spain, and that Maria Teresa had never been bound by the renunciation, because it was made during her minority. It chanced, however, that the Dutch, in virtue of the defensive alliance concluded between them and France in 1662, called upon Louis to join as their ally in the war; and it seemed impolitic to provoke hostilities at the same moment with two such powers as England and Spain. It was, indeed, easy to elude the demand, by replying that a defensive treaty did not bind, when the party claiming aid had provoked the war; but on the other hand, it was argued that Louis, by cheerfully uniting with the States, would render them less hostile to his intended occupation of

Louis unites with the Dutch.

net, i. 393—2. Clarendon, who, as usual, is very inaccurate, 217. 290. The act did not mention nonconformist ministers, but included them under the description of persons who had enjoyed ecclesiastical promotion, or preached at unlawful conventicles.

* All the letters of D'Estrades, from his arrival in Holland till 1664, shew how firmly this unfortunate statesman had devoted himself to the interests of France.

† Dumont, vi. part. i. 283. 8. By the law of devolution, which prevailed in several provinces of the Netherlands, the right of inheritance was given to the children of the first marriage, even females, to the exclusion of the issue by the second. Maria Teresa, the consort of Louis, was the daughter of Philip of Spain by his first wife; Charles, the inheritor of the monarchy, was his son by the second.

Flanders; and that, under the pretext of preventing the descents of the English, he might covertly make preparations, and assemble troops on the nearest parts of the coast.* Louis followed this counsel: his ambassador informed Charles that unless peace were speedily concluded, his master would feel himself bound to take part against him in the war; and the English king had the spirit to defy the power, rather than submit to the dictation, of a foreign prince.

Treaties. 1666. Jan. 16. In January the French monarch, though with many expressions of regret, declared war; but, at the reclamation of the English ambassador, granted three months to British subjects to withdraw with their effects from his territories.† The approach of a French force soon compelled the bishop of Munster, who, as the ally of Charles, had made a formidable inroad into the province of Overyssel, to submit to a disadvantageous peace; and the French agent at Copenhagen prevailed on the king of Denmark to withdraw from his alliance with England, and to make common cause with the States. Charles, on his side, concluded a treaty with the king of Sweden, by which each party engaged not to furnish munitions of war to the enemies of the other; but failed in an attempt to create an opposition to De Witt in Holland through the intrigues of De Buat, a partisan of the house of Orange, who forfeited his life as a traitor to the republic.‡

April 8. Feb. 1. Feb. 8.

The four day's battle. These negotiations occupied the first months of the new year: in May, prince Rupert and the duke of Albemarle assumed the joint command of the English fleet; and insulted with impunity the coast of Holland. There was but little cordiality between the two admirals. The pride of Rupert could hardly brook an equal in rank and authority; but the people remembered the former victories of Monk over the Dutch, and Charles gratified the general wish by associating him with the prince in the chief command. They had returned to the Downs, when advice was received that the Dutch navy was not in a state to put to sea for several weeks, and that a French squadron, under the duke of Beaufort, had reached Belisle from the Mediter-

* Id. part. ii. p. 412. OEuvres de Louis XIV., ii. 5—11. 25. 130.

† Dumont, vi. part iii. 82. Clar. 282. 8. Miscel. Aul. 373. Mémoires d'Estrades, iii. 54. 64. Charles, on his part, offered freedom from molestation in person or property to all natives of France, or the United Provinces, residing in or coming into his dominions, "especially to those of the reformed religion, whose interest should particularly be owned by him." Ralph, i. 159.

‡ Clarendon, 327. 9. 333—6. Dumont, vi. par. ii. 59. 83. 106.

ranean. Unfortunately neither report was true. De Ruyter, accompanied by De Witt, had already left the Texel: the duke of Beaufort had not passed the Straits of Gibraltar. Rupert, however, procured an order from court to hasten with twenty sail in search of the French, while Albemarle, with fifty-four, directed his course to the Gun-fleet. The next morning the duke, to his surprise, descried the Dutch fleet of more than eighty men of war lying at anchor off the north Foreland. He had so often spoken with contempt of the enemy, had so severely criticized the caution of the earl of Sandwich, that to retire without fighting would have exposed him to the censure and derision of the public. A council of war was instantly summoned, the majority, in opposition to their own judgment, acquiesced in the rash, but decided, opinion of their commander, and the signal was made to bear down without delay on the enemy. No line was formed, no order observed; the blue squadron, which led the van, fought its way through the hostile fleet; but most of the ships of which it consisted were captured, or destroyed, or disabled. Darkness separated the combatants, and the action re-commenced with the return of light. But, if Monk on the preceding day had fought for victory, he was now reduced to fight for safety. A reinforcement of sixteen sail added to the hopes and the courage of the enemy: nor was it without the most heroic exertions that the English were able to protract the unequal contest till night. Monk, having burnt a part of his disabled ships, and ordered the others to make for the nearest harbour, opposed, in the morning, sixteen that remained as a rear guard to the pursuit of De Ruyter. But, in the hurry of their flight, they ran on the Galloper Sand, where the Prince Royal, the boast of the English navy, was lost; and where the rest would probably have shared its fate, had not Rupert, with his squadron of twenty sail, at last arrived to their relief. He had received orders to return from St. Helen's on the first day of the battle; nor was it ever explained why he did not join Albemarle till the evening of the third. The force of the hostile fleets was now more nearly balanced: they renewed the engagement on the following morning, and, having passed each other five times in line, separated under the cover of a mist.* Such was the result of this succession of obstinate and sanguinary engagements. That the

May 29.

May 31.

June 1.

June 2.

June 3.

June 4.

* Com. Journals, 1667, Oct. 31. Clarendon, 343, 4. Coke, 144. Heath, 550, Le Clerc, ii. 139. Basnage, i. 773. Pepys, ii. 398—402. 410. 1. 3. 5. 424. 434, 5.

Dutch had a just claim to the victory, cannot be doubted; though, if we consider the fearful disparity of force, we must own that no disgrace could attach to the English. "They may be killed," exclaimed De Witt, "but they will not be conquered." At home the conduct of Monk was severely and deservedly censured; but no one could convince him that he acted imprudently in provoking the battle, or that he had not inflicted more injury than he had received.*

Both fleets stood in need of repairs: both, by extraordinary efforts, were in a short time again at sea. They met; the victory was fiercely and obstinately disputed; but the better fortune, or more desperate valour, of the English prevailed. Few prizes were, however, made. With rash but successful daring, de Ruyter repeatedly turned on the pursuers, and kept them at bay, till the fugitives found a secure asylum in the Wierings. Rupert and Monk rode for weeks triumphant along the coast, interrupting the commerce, and insulting the pride of their enemies. At the suggestion of a native, Holmes, with a squadron of boats and fire-ships, was ordered to enter the channel between Ulie and Schilling, the usual rendezvous of vessels trading to the Baltic: in a short time two men of war, and one hundred and fifty merchantmen with their cargoes, were in flames, and the next day the neighbouring town of Brandaris, consisting of one thousand houses, was reduced to ashes. At the sight of the conflagration De Witt maddened with rage, and swore by the almighty God that he would never sheath the sword, till he had obtained his revenge: an oath which he religiously observed.†

July 25.

Aug. 8.

Aug. 9.

Aug. 10.

Intrigues of Louis.

Louis was not unwilling that the two great maritime powers should exhaust themselves in this tremendous struggle. To his allies he had promised the co-operation of his fleet, but that promise was yet to be fulfilled; and instead of risking the French navy in battle against the English, he sought to occupy the attention of Charles by exciting rebellion in his dominions. With this view he employed agents to intrigue with the catholics in Ireland, who had lost their lands by the late act of settlement; and encouraged the hopes of the English exiles, who persuaded themselves that their party was still powerful in England. Alger-

* Pepys, ii. 422. Com. Journ. Oct. 31. According to Evelyn, the English lost ten ships, one thousand seven hundred men killed and wounded, and two thousand taken (ii. 258): the Dutch acknowledged the loss of two admirals, seven captains, and one thousand eight hundred men. Le Clerc, ii. 142.

† Clarendon, 345. Pepys, ii. 444. Miscel. Aul. 411; 2. Mémoires d'Estrades, iii. 346. 361.

non Sydney hastened from Languedoc to Paris: to the French ministers he maintained that the interest of France demanded the establishment of a republic in England; and to the French king he presented a memorial soliciting the gift of 100,000*l.* to enable his party to commence operations against the English government. But Louis paused before he would part with so large a sum of money. In conclusion he offered Sydney 20,000*l.* in the first instance, with a promise of additional aid, if the rising should take place.*

About the middle of August, however, the duke of Beaufort, contrary to the general expectation, arrived at La Rochelle from the Mediterranean, and a plan was arranged between the two powers for the junction of their respective fleets in the British Channel. The Dutch, for this purpose, had already passed the strait of Dover, when they descried the English under prince Rupert. De Ruyter, though on board, was confined by severe indisposition; the men betrayed a disinclination to fight without the presence and orders of their favourite commander; and the fleet ran close into the shore in St. John's Road, near Boulogne. Rupert dared not follow: he turned to oppose Beaufort, as he came up the channel; but the violence of the wind compelled him to seek shelter at St. Helens, and the French squadron had the good fortune to arrive safely at Dieppe. Louis, alarmed at the proximity of his fleet to the superior force of the English, by repeated messages insisted that the Dutch should proceed to give it protection. But their ships had suffered severely from the weather; the admiral was still unable to take the command; and instead of joining their allies, they embraced the first opportunity of returning to their own ports. Beaufort, however, extricated himself from the danger, and stole his way down the channel with no other loss than that of the Ruby, of fifty-four guns.†

Operations by sea. Aug. 13.

Sep. 3.

The storm which had driven the English fleet into St. Helens, was productive of the most disastrous consequences by land. On the night of Sunday, the 2d of September, a fire burst out in Pudding-lane, near Fish-street, one of the most crowded quarters of the metropolis. It originated in a bake-house; the buildings in the neighbourhood, formed of wood, with pitched roofs, quickly caught the flames; and the stores with which they were filled, consisting of those combustible articles used in the equipment of shipping, nourished the conflagration.

Fire of London.

Sep. 2.

* Louis XIV. ii. 208, and note ibid. Miscel. Aul. 433.

† Clarendon, 347. Heath, 563. Miscel. Aul. 418. Louis XIV. ii. 219, 221—226. Temple, i. 477.

To add to the mischief, the pipes from the new river were found empty,* and the engine, which raised water from the Thames, was reduced to ashes. The lord mayor arrived on the first alarm: but his timidity and inexperience shrunk from the adoption of decisive measures: he refused for several hours to admit the aid of the military, and to those who advised the demolition of a range of houses, replied that he must previously obtain the consent of their respective owners.†

Sep. 3. During the day the wind, which blew from the east, hourly augmented in violence; and the fire spread with astonishing velocity, leaping from roof to roof, and frequently igniting houses at a distance, and in apparent security. The following night ("if night," says an eyewitness, that could be called, which was light as day for ten miles round,") presented a most magnificent, but appalling spectacle. A vast column of fire, a mile in diameter, was seen ascending to the clouds; the flames, as they rose, were bent and broken, and shivered by the fury of the wind; and every blast scattered through the air innumerable flakes of fire, which falling on inflammable substances kindled new conflagrations. The lurid glare of the sky, the oppressive heat of the atmosphere, the crackling of the flames, and the falling of the houses and churches, combined to fill every breast with astonishment and terror.

Instead, however, of adverting to the natural causes of the calamity, causes too obvious to escape an observant eye, the public credulity listened to stories of malice and treachery. It was said and believed, that men had been apprehended carrying with them parcels of an unknown substance, which on compression produced heat and flame; that others had been seen throwing fire balls into houses as they passed along the street; that the foreign enemy had combined with the republicans and papists to burn the city: and that the French residents in the capital, to the number of twenty thousand had taken up arms, and were massacring every native, who came in the way. These reports augmented the general terror and

* On the authority of an old woman, the countess of Clarendon, and of a divine, Dr. Lloyd, whose brain had been affected by the study of the Apocalypse, Burnet gravely tells us a story of one Grant, a papist, a partner in the works at Islington, having on the preceding Saturday turned the cocks, and carried away the keys (Hist. i. 401.) But the fire happened on the 2d of September, and Higgons (Remarks, 219) proves from the books of the company, that Grant had no share in the works before the 25th of that month.

† The duke of York says, that the expedient of blowing up houses with gunpowder was suggested by an old woman (Macpher. Pap. i. 36.); Evelyn, by a party of sailors; but "some tenacious and avaritious men, aldermen, etc. would not permit it, because their houses must have been the first." ii. 266.

confusion. All were mingled together, men labouring to extinguish the flames, citizens conveying away their families and goods, crowds flying from the imaginary massacre, others in arms hastening to oppose the murderers, and mobs surrounding and ill-treating every stranger, foreigner, and reputed papist, who ventured into the streets.

Exertions of the king.

Charles never appeared so deeply affected as at the sight of the conflagration. Breaking from his pleasures and his mistresses, he displayed an energy of mind and body of which his most intimate friends thought him no longer capable. Wherever the danger appeared the greatest, the king was to be found with his brother, mixing among the workmen, animating them by his example, and with his own hand rewarding their exertions.* He divided the city into districts, and gave the command of each district to one of the privy council. He ordered biscuits and other necessaries to be brought from the royal stores for the relief of the families in the fields, and ordered out strong patroles of his guards, to prevent robbery, and to conduct to prison all persons suspected and arrested by the populace, as the most likely means of preserving their lives.

End of the conflagration.

While the storm continued, the conflagration bade defiance to all the exertions of human ingenuity or power. In many places houses had been blown up or demolished: but the ignited flakes were carried over the empty space, or the ruins again took fire, or the flames unexpectedly turned in a new direction. On the evening of Wednesday the violence of the wind began to abate; and the duke of York saved the church of the Temple by the destruction of the neighbouring buildings: the next morning a similar precaution was adopted by the king to preserve Westminster-abbey and the palace of Whitehall. About five in the evening of Thursday the weather became calm; and every heart beat with the hope that this dreadful visitation was approaching to its close. But in the night new alarms were excited. The fire burst out again in the Temple; it was still seen to rage with unabated fury near Cripplegate, and a large body of flame made rapid advance towards the Tower. The duke and the other noblemen were immediately at their posts. With the aid of gunpowder large openings were made; Charles attended at the demolition of the houses on the graff near the magazine in the Tower; and the conflagration, being thus prohibit-

Sep. 5.

Sep. 6.

* "It is not indeed imaginable how extraordinary the vigilance and activity of the king and the duke was, even labouring in person, and being present to command, order, reward, or encourage workmen." Evelyn, ii. 268. Life of James, i. 424.

ed from extending its ravages, gradually died away, though months elapsed before the immense accumulation of ruins ceased to present appearances of internal heat and combustion.*

Its extent. By this deplorable accident two-thirds of the metropolis, the whole space from the Tower to the Temple, had been reduced to ashes. The number of houses consumed amounted to thirteen thousand two hundred, of churches, including St. Paul's, to eighty-nine, covering three hundred and seventy-three acres within, and sixty-three without the walls. In the fields about Islington and Highgate were seen lying on the bare ground, or under huts hastily erected, two hundred thousand individuals, many in a state of utter destitution, and the others watching the small remnant of their property which they had snatched from the flames. Charles was indefatigable in his exertions to afford relief, and to procure them lodgings in the nearest towns and villages.† Sep. 7.

Its cause. Whoever considers the place in which the fire began, the violence of the wind, and the materials of which the houses were built, will not be at a loss to account for the origin and the extent of the conflagration. But it was an age in which political and religious prejudices had perverted the judgments of men. Some considered it as an evident visitation of Providence in punishment of sin; but of what sin? Of the immorality of the king and the courtiers, replied the more rigid religionists; of the late rebellion, recriminated the cavaliers.‡ Others attributed it to the disloyalty and revenge, either of the republicans, who sought to destroy the seat of the monarchy, or of the monarchy, or of the papists, who wished to punish the strong hold of orthodoxy. But of these charges, though the individuals suspected were examined before the council and the lord chief justice, though the house of commons ordered a strict inquiry to be instituted,

* London Gazette, No. 85. Clarend, 348—352. Evelyn, ii. 263—7. Philips, 652. Burnet, i. 401. 2; and Pepys, in the confusion has divided one day into two. Diary, iii. 16—35.

† St. Trials, vi. 807. Evelyn, ii. 271.

‡ Two remarkable coincidences have been noticed. At the trials of certain conspirators in the preceding April, it appeared that they had intended to set fire to London on the 3d of September of the last year, that they might avail themselves of the confusion to overturn the government (London Gazette, Ap. 23—26): and it was about one in the morning of Sep. 3, of this year that the fire made its appearance. Again, in 1656, a treatise was advertised, purporting to show from the Apocalypse, that in the year 1666 the Romish Babylon would be destroyed by fire. (Marc. Pol. in Burton's Diary, i. cxlvii.) Now this great fire actually happened in 1666, the year foretold, though it destroyed not the Romish, but the English Babylon.

though every species of conjectural and hearsay evidence was admitted, yet no vestige of proof could ever be discovered. The report of the committee still exists, a complete refutation of the calumny.* Subsequently, however, on the monument erected to perpetuate this calamitous event, it was, and still stands, recorded, that "the burning of this protestant city was begun and carried on by the treachery and malice of the popish faction." Next to the guilt of him who perpetrates an atrocious crime, is the guilt of those who charge it on the innocent.†

Proceedings in parliament.

In the same month, when the parliament assembled, it became manifest that the popularity of the king was on the wane in the lower house. The late disaster had thrown a gloom over the public mind; and the murmurs of the people were echoed in the speeches of their representatives. The duke of Buckingham sought the company of the discontented; by tales of the royal extravagance and immorality, he sharpened their indignation and won their confidence; and, in a short time, a formidable party was arrayed against the advocates of the court. No man, indeed, could be more immoral than Buckingham himself; but Charles, to gratify the anger of Castlemaine, had banished him from court, and resentment made him a saint and a patriot. The commons began, indeed, by voting a supply of 1,800,000*l.*; yet, while they held out the money as a lure to the king, they required several concessions before they would deliver it into his hands. 1. According to ancient custom, they displayed their zeal against the catholics. The attempt to fasten on them the charge of having fired the capital, unfortunately failed; but a committee was appointed "to inquire into the insolence of the papists and the increase of popery;" and, though the information which they procured, consisted of tales so childish and improbable that they dared not pronounce an opinion,‡ yet it served as the foundation of an address to the king; and Charles, in accordance with their petition, commanded, by proclamation, all priests and jesuits to quit the kingdom; gave directions to the judges and magis-

* These examinations are printed in Howell's State Trials, vi. 807—866. One Hubert, a French protestant, who formerly worked as a silversmith in the city, gave himself up as the incendiary, was examined before the committee (see his examination, p. 824), and, persisting in his story, was condemned and executed. The man was clearly insane. "Neither the judges, nor any present at the trial, did believe him guilty; but that he was a poor distracted wretch, weary of his life, and chose to part with it this way." Clarendon, 353. See also Higgons on Burnet, 215.

† The monument was begun in 1671, and finished in 1677; the inscription was written by Dr. Thomas Gale, afterward dean of York. Pennant's London, 347.

‡ It is published in the State Trials, vi. 851—6.

trates to execute the laws against recusants, to disarm all papists, and to administer the oaths of allegiance and supremacy to all persons suspected of popery; and ordered the commanders of regiments to dismiss from the army every officer and soldier who should refuse the oaths, or had not received the sacrament.

debate on Irish cattle.

2. In 1663 complaint had been made in parliament that the agricultural interest of England was sacrificed to that of Ireland; that the annual importation of Irish cattle, amounting to more than sixty thousand beeves and a proportionate number of sheep, depressed the prices in the English market: and that the English farmers were no longer able to pay their rents to their landlords or their taxes to the king. The result was an act prohibiting under severe penalties the importation of cattle from the Irish to the English ports. There now remained but one resource for the Irish farmer, the introduction of the dead carcase in place of the live animal; and to meet this a bill was brought in during the session at Oxford, to extend the prohibition to salt beef, bacon, and pork. It was lost by the hasty prorogation of parliament, but revived in the present session. Never, for many years, had any question excited such agitation in the public mind, or such animosities in the two houses. On the one part, it was contended that the parliament was bound in duty to protect the agricultural interest, which comprised not only the farmers and their servants, but all the landlords in the kingdom; on the other, that the people had a right to purchase their food at the cheapest market; that it was unjust to protect one interest at the expense of another; and that, if the Irish were not allowed to export their cattle, they would not be able to import the manufactures of England. The bill, after much contestation, was sent to the lords, and returned by them with amendments, to which the commons objected. The opponents of the measure hoped, by fomenting the dissension, to suppress the bills: but the king was so anxious not to lose by delay the supply which had been voted, and so alarmed by the tumultuous meetings of the agriculturists in the country, that he commanded the duke of York and his friends in the house of lords to desist from their opposition. They withdrew before the division, and the bill was suffered to pass into a law.*

* Miscel. Aul. 432. 6, 7. 9. 436. Coke, 151—144. Clarendon, 371—383. Carte, ii. 317—322. 329—334. In the course of these debates, Buckingham said that whoever opposed the bill, must have an Irish interest in his heart, or an Irish intellect in his head. Lord Ossory challenged him; but he chose to mistake the place of meeting, and to give an account of the whole proceeding to the house. Both were put under custody, and after-

On the auditing of the public accounts.

3. Reports were circulated that the supplies previously voted for the war had been diverted from their original destination: and a bill was carried through the commons appointing commissioners to audit the public accounts. Charles, at the solicitation of sir George Carteret, treasurer of the navy, and of Cooper, recently created lord Ashley, treasurer of the prize money, openly declared that he would never yield his consent. It was a direct invasion of the royal prerogative; it would prevent men from taking office if, instead of the regular method of auditing accounts, they were to be interrogated at will by the commons, and subjected to the arbitrary judgment of that house; and, which was the most cogent argument of all, it would reveal to the public the many and valuable grants which the king had made of the national money to his favourites and mistresses. But to oppose it openly might provoke and confirm suspicion: when the bill came to the upper house, the lords voted an address to the king to appoint a commission of inquiry; the commons resolved that such an address, pending the bill, was unparliamentary, and the two houses found themselves involved in an endless controversy respecting their rights and privileges. Charles, however, was now assailed from a different quarter. His opponents threatened to impeach the countess of Castlemain; and his anxiety to screen her from prosecution induced him to employ his influence in favour of the bill. The lords passed it with a few trifling amendments; and then its supporters, as if their only object had been to excite the distrust of the nation, instead of proceeding with a measure which they had so warmly pursued, suffered the bill to lie without notice on the table. The means of raising the supply by a pole tax and by eleven monthly assessments were voted, and the king, having obtained his end, prorogued the parliament.*

1667. Jan. 24.

Feb. 8.

wards reconciled. Next he quarrelled with lord Dorchester, respecting a seat in a conference with the commons. The marquess in the scuffle lost his perriwig, the duke a handful of hair. The two champions were sent to the Tower, and reconciled. L. Journ. xii. 18, 19. 52. Clarendon, 376—9. Miscel. Aul. 423—6.

* L. Journ. xii. 34. 47. 52. 72. 81. 88. C. Journal, Jan. 24, Feb. 7. Clarendon, 368. 374. Charles, however, in the April following, did appoint a commission of lords and commons, "for taking accounts of the several sums of money which had been raised and assigned to his majesty's use during the war, and of all such moneys and profits as had been made of prizes taken since the beginning of the war, with power to call to account all treasurers, receivers, etc. and all such authority, as might serve for the effectual and impartial execution of the said commission." They sate, continued the inquiry, for many months, and made reports to the house of commons. There was, however, no important result.

Insurrection in Scotland.

During this session, the council was seriously alarmed by the news of an insurrection in Scotland, an insurrection attributed at first to foreign intrigue, but provoked in reality by religious persecution. The eastern and northern counties had apparently acquiesced in the restoration of episcopacy; but in the west and south a strong spirit of resistance had been manifested. Most of the ministers were ejected, and their places supplied by clergymen, whose youth and habits were not calculated to render them acceptable to the people. When they took possession of their cures, they were generally received with contumely, sometimes with vollies of stones from crowds of women and children; and when they ascended the pulpit, their churches were deserted by the majority of the parishioners. These followed their former pastor to the barn and the moor; the circumstances under which they met kindled the enthusiasm both of the preacher and his hearers; and they separated with a firm determination to adhere to the national covenant, and to oppose to the death the "antichristian" institution of bishops. The parliament made laws to put down conventicles, and enforce attendance at the parish church; the high commission court endeavoured to subdue the most refractory by arbitrary and disproportionate punishments; and, as a last resource, a body of soldiers, under sir James Turner, an Englishman, was sent into the west to levy fines, and secure obedience to the law. Without attaching entire credit to the exaggerated tales of the sufferers, we may presume that these military missionaries did not discharge their duties in a manner to please or conciliate the natives; numerous frays occurred between them and the religionists on whom they were quartered: one of the soldiers was shot at Dalry in Galloway; the offenders secured his companions for their own safety; their number quickly increased; they surprised and made prisoner sir James Turner himself; and, astonished at their success, began to deliberate respecting their future proceedings. They scarcely exceeded two thousand men; but, on the ground that "God was able to save by few as well as by many," they chose officers, renewed the covenant, and resolved to march towards Edinburgh. The night was cold and dark; and, on their arrival at Bathgate, their force had dwindled to less than one half of its original amount. They nevertheless continued to advance; but the gates were shut; and the royal army under Dalziel followed their footsteps. They retreated from Collingtown to Rullion-green, near the Pentland Hills, where their commander, colonel Wallace, faced the enemy. Of the ministers who accompa-

1666. Nov. 13.

Nov. 15.

Nov. 27.

Nov. 28.

nied them, Crookshank and Maccormick, natives of Ireland, took their station among the cavalry to fight the battle of the Lord; Welch and Semple, natives of Scotland, ascended a neighbouring eminence to pray. The former fell in the first charge; the latter, as soon as they saw the loss of the battle, saved their lives by flight. About fifty of the insurgents were left dead on the field, and one hundred and thirty were made prisoners. It was a time when perhaps some effect might have been produced by the lenity of government; but the prelates deemed it more prudent to intimidate by severity. Twenty were executed in the capital, and about the same number in Glasgow, Ayr, Irvine, and Dumfries. All refused the oath, and died professing their adhesion to the covenant. The king ordered a rigorous inquiry to be made into the origin of the insurrection; and the chief of the prisoners were tortured in the "boots," to draw from them the confession of their real object. But no trace could be discovered of any correspondence between them and the foreign enemy: the court became convinced that persecution had goaded them to resistance; and an order was issued that the whigs (the name by which the covenanters were now designated) should be treated with less severity.*

Dec. 7. Dec. 14. Dec. 22.

The suppression of this tumult relieved the king from one source of disquietude: there remained another, which he knew not how to remove—the poverty of the exchequer. To prepare the fleet for sea required an immediate supply of money; and the grant made by the parliament, though liberal in the amount, offered but a distant resource. In the former years the royal wants had been promptly accommodated by the bankers, a few opulent individuals, members of the company of goldsmiths, and aldermen in the city. These it was customary to introduce into the royal presence; they were acquainted with the amount of the intended loan; each subscribed for such portion as he chose to take, and received in return the assignation of some branch of the public revenue, entitling him to its produce till the capital, with the interest at eight per cent., should be entirely discharged.† But this

Difficulty of fitting out the fleet.

* Kirkton, 229—255. Wodrow, 247—256. App. 86, 7, 8. Burnet, i. 451. "The poor people, who were at this time in contempt called whiggs, became namefathers to all that owned ane honest interest in Britain, who were called whiggs after them even at the court of England; so strangely doth Providence improve man's mistakes for the furthering of the Lord's purpose." Kirkton, 255.

† Clarendon, 393—6, 314; 5. Life of James, i. 425. Macpherson, Pap. i. 367. The bankers were accustomed to charge eight per cent. on loans, and to give six per cent. on deposits. The manner of payment may be un-

expedient was now impracticable, on account of the embarrassments, caused by the plague and the fire, in mercantile and pecuniary transactions. The bankers had suffered considerable losses; money had grown scarce; the destruction of merchandize had diminished the receipt of the customs and excise; and the inability of the treasury to fulfil its engagements had impaired the royal credit. In an evil hour, sir William Coventry proposed to lay up the larger ships in ordinary, and to equip only two squadrons of light frigates, one to harass the enemy's trade in the Channel, and the other that in the German Ocean. The duke of York objected with considerable force, that such an expedient was in truth an abandonment of the sovereignty of the sea, and an invitation to the Dutch to insult the English coast, and plunder the maritime counties. But the difficulty of procuring money, and the expectation of a speedy peace, weighed with the rest of the council; and Charles consented to a measure which subsequently gave him keener regret, and brought on him more lasting disgrace, than perhaps any other act of his government.

Secret treaty with Louis.

The king of France, who had completed his preparations for the invasion of Flanders in the spring, was anxious to free himself from the incumbrance of the war with England. Through Ruvigny, the agent of the French protestants at his court, he persuaded the earl of St. Alban's, who, it was rumoured, had privately married the queen-mother, to proceed to London and sound the disposition of Charles. The English king earnestly wished to try again his fortune by sea; but the difficulty of fitting out the fleet subdued his repugnance to a treaty, and he consented to send commissioners to Breda, on condition that an armistice should accompany the negotiation.* Louis met with greater difficulty on the part of the States, who, aware that his intended conquest of Flanders must prove injurious to their interests, sought to divert him from his purpose by continuing the war, from which he had recently pledged himself not to withdraw without their consent. But the monarch, irritated by their ob-

1666. Dec. 14.

derstood from the following order in council, published in March of this year: that all persons "who had lent money for his Majesty's service in the present war, upon the credit of the late act for 125,000*l.* whose orders were of the numbers of 99, 100, and so forwards to 126, should take notice that there remained money for them in bank at the receipt of his Majesty's exchequer, ready to pay both their principal and interest, and should therefore cause their respective orders and tallies to be brought into the exchequer; and give their acquittances, that they might receive their loans and interests according to the said act."

* Clarendon, 419.

jections and delays, discovered an expedient by which he disappointed their hopes. Without the knowledge of the ministers at either court he opened a secret negotiation with Charles. Each prince addressed his letters to the queen Henrietta Maria, Louis as to his aunt, Charles as to his mother; and that princess forwarded them to their destination, under covers as from herself. Neither had any real cause of hostility against the other, and the only difficulty arose from a desire in the English king to recover the isles in the West Indies, which had been taken by the French, and on the part of Louis to obtain a pledge that England should not oppose his designs against Spain. At length they compromised these pretensions, and it was agreed that each should abstain from hostilities against the other; that France should restore her conquests in the West Indies; that England, during the space of one year, should afford no assistance to Spain; and that so much of this treaty as was fit to meet the eye of the public should be afterwards inserted in a public treaty. Both kings solemnly pledged themselves to the observance of the articles in a paper under their respective signatures, which for greater privacy and security was deposited with Henrietta Maria, as their common relation and friend.* April 14.

While the secret treaty proceeded, the French ambassador reiterated his demands at the Hague, and four out of the seven provinces, eager for peace, resolved to withdraw their contributions towards the expense of the war. De Witt with his party was compelled to yield; Breda was named for the place of the congress, and in the month of May the ambassadors of the several powers assembled. But the pensionary still thirsted for revenge: he knew that the Dutch fleet was ready to sail, and that England had no fleet to oppose; and he determined not to throw away the opportunity which fortune had placed in his hands. When the armistice was proposed, the Dutch immediately refused their consent, on the ground that it would occupy as much time to discuss its conditions as those of the peace itself: and while the English argued, and the French remonstrated, De Witt left the Texel in company with De Ruyter, and ordered the fleet to the amount of seventy sail to join him in separate squadrons at the buoy off the Nore. The Dutch fleet in the river. May 14.

The English government was not taken by surprise. The

* For the knowledge of this singular transaction, the first of the secret treaties between Louis and Charles, we are indebted to Louis himself in his OEuvres, ii. 256. 296. 8, 9; v. 399. 405.

Feb. 27. warnings of the duke of York had awakened them to a sense of the danger; and three months before, orders had been issued to raise a fort at Sheerness, to throw a boom across the Medway at the stakes, to mount the guns on the batteries, and to prepare a competent number of fireships. But it was not easy to carry these orders into execution. The commissioners of the navy already owed more than 900,000*l.* Their credit was gone: the sailors refused to serve, the labourers to work, the merchants to sell, without immediate payment: and to procure ready money either by application to the treasury, or by loan from the bankers, was impossible.* De Witt, that he might distract the attention of the council, ordered one division of his fleet to sail up the Thames as far as Gravesend, and the other to destroy, which

June 9. was his chief object, the shipping in the Medway. The fort at Sheerness opposed but a feeble resistance. Though Charles, to hasten the completion of the works, had visited them twice during the winter, they were still in an unfinished state, and a few broadsides levelled them with the ground. At the first alarm, Monk, by the royal order, hastened to the mouth of the Medway. He erected batteries, and moored guardships, for the protection of the boom, and sunk five ships before it in the narrowest part of the

June 11. channel. He had not completed these preparations, when the Dutch advanced with the wind and tide in their favour; but the obstruction in the passage opposed an insuperable bar to their progress, and they were compelled to fall back with the ebb. During the night, however, they discovered a new channel sufficiently deep for large ships at

June 12. high water, and in the morning worked their way without impediment in this direction. The men of war immediately pointed their guns against the batteries; and a heavy fireship, running against the boom, hung upon it. A second followed in the like manner; the chain broke under their united weight; and, in a short time, the guardships were in a blaze. The hull of the Royal Charles, a first rate, which through neglect of orders had not been removed, became the prize of the conquerors.

Advances to Upnor. Monk, disappointed but not disheartened, hastened back to Upnor Castle. The night was employed in mounting guns and collecting ammunition: in the morning the batteries were manned with volunteers from the navy; and the return of the tide exhibited a sight most

June 13. galling to the pride of every Englishman,—the Dutch fleet advancing triumphantly up the river.

* See Pepys, iii. 156. 162. 9. 174.

Two men of war led the line; then came six enormous fireships; after them followed the rest of the squadron. The men of war anchored to receive and return the fire of the batteries; and the fireships, passing behind them, pursued their course, reducing to ashes the three first rates, the Royal James, the Oak, and the London. At the ebb, their commander Van Ghent, whether he had fully executed his orders, or was intimidated by the warm reception which he experienced, made the signal to the fleet to fall down the river, and, having burnt two of his own vessels which had grounded, rejoined in safety the other division at the Nore.*

Public discontent.

To the English, if we consider the force of the enemy and the defenceless state of the river, the loss was much less than they had reason to expect; but the disgrace sunk deep into the heart of the king, and the hearts of his subjects. That England, so lately the mistress of the ocean, should be unable to meet her enemies at sea, and that the Dutch, whom she had so often defeated, should ride triumphant in her rivers, burn her ships, and scatter dismay through the capital and the country, were universally subjects of grief and indignation. Many attributed it to that eternal source of every calamity, the imaginary machinations of the papists;† others were taught to believe that the king had secretly leagued with the enemy for the purpose of depressing the nation, that he might the more easily establish a despotic government; and numbers contrasted the disastrous result of the present war against the Dutch under a king, with the glorious result of the former war under a protector. But their reasoning was evidently unjust. Whatever might be the faults of Charles, he had conducted the war with equal spirit, and till this moment with more signal success. Even the disgrace at Chatham, originating from a measure which had been forced upon him by pecuniary distress, had not in reality diminished the power nor impaired the resources of the country.

Treaty of peace.

For six weeks De Ruyter continued to sweep the English coast. But his attempts to burn the ships at Portsmouth, Plymouth, and Torbay, were successively defeated; and, though he twice threatened to remount the Thames, the spirited opposition with which he was received by a squadron of eighteen sail, under sir Edward Spragge, induced him to renounce the design. In the mean time the Dutch negotiators, who had purposely pro-

* C. Journals, Oct. 31. Pepys, iii. 237. 241, 2. 6. 50; v. 17. Evelyn, ii. 287. 8. 221.

† Pepys, iii. 245. 252.

tracted the conferences at Breda, began to be alarmed by the rapid progress of the French army in Flanders; for Louis, soon after his secret treaty with Charles, passed the frontiers with an army of seventy thousand men, nominally commanded by himself, but really under the guidance of Turenne. Castel-Rodrigo, the Spanish governor, dismantled several fortresses; Binche, Tournay, Oudenarde, Courtrai, and Douai opened their gates; and Louis was actually occupied in the siege of Lisle, when the States hastened to withdraw their objections to the proposals of England, that they might have leisure to secure themselves against the ambition of their powerful ally.* Three treaties were signed by the English commissioners on the same day. By one with Holland it was stipulated that both parties should forget past injuries, and remain in their present condition, which confirmed to the States possession of the disputed island of Pulo Ron, and to the English their conquests of Albany and New York. By the second with France, Louis obtained the restoration of Nova Scotia, and Charles that of Antigua, Monserrat, and part of St. Kitts; and by the last with Denmark, which country had acceded to the war, as the ally of the Dutch, the relations of amity were re-established between the two crowns.†

May 11.

July 21.

Unpopularity of Clarendon.

There was nothing in the conditions of peace to mortify the pride or to prejudice the interests of the nation; yet the calamities which had accompanied the war, the plague, the fire, and the disgrace at Chatham, though over the two first no human counsels could have had any control, had soured the temper of the people; and Charles, anxious to divert attention from his own misconduct, was not unwilling to sacrifice a victim to the public discontent. Ever since the restoration, Clarendon had exercised the power, though without the name, of prime minister; and to his pernicious counsels it was become the fashion to attribute every national calamity. It must be confessed that, with a correct judgment and brilliant talents, he had contrived, whether it arose from the infirmity of his nature, or the necessity of his situation, to make himself enemies among every class of men. The courtiers had been alienated

* The success of Louis produced a benefit to England, which was unexpected: it induced "one Brewer, with about fifty Walloons, who wrought and dyed fine woollen cloths," to migrate to this kingdom. "The king entertained them against our barbarous law, or rather usage, against foreigners partaking the benefit of natural-born English; and by them the English, in a few years' time, were instructed to make and dye fine woollen cloths cheaper by forty per cent. than they could do before." Coke, ii. 161.

† See them in Dumont, vii. par. i. 40—57. Mém. d'Estrades, iv. 396—498. Temple, i. 481.

from him by the haughtiness of his manner, and his perpetual opposition to their suits, their projects, and their extravagance; the friends of liberty, by his strenuous advocacy of every claim which he conceived to belong to the prerogative, and his marked antipathy to every doctrine, which seemed to him to savour of republicanism; and the catholics, the presbyterians, and the several classes of dissenters, by his obstinate and successful opposition to the indulgence to tender consciences, promised by the king in his declaration from Breda. He had offended the house of commons by reproaching them with conduct similar to that of the long parliament, and the house of lords by complaining that they suffered the commons to usurp the lead in public business, and were content with maintaining their own privileges.* The king, indeed, had been accustomed to listen to him with respect, almost with awe. But these sentiments gradually wore away. The courtiers mimicked the gravity of Clarendon in the royal presence; they ridiculed his person and manner; they charged him with interested motives; and represented him as a morose pedagogue, claiming to retain the same control over the mind of the man, which he had once exercised over that of the boy. Charles laughed and reproved; but frequency of repetition insensibly produced effect: and feelings of suspicion and aversion were occasionally awakened in the royal breast. Nor did Clarendon himself fail to aid the efforts of his enemies. He often contradicted the favourite opinions of the king; sometimes carried measures against him in the house of lords; and, on more than one occasion, so far forgot himself at the council table, as to speak with a vehemence and authority which hurt the pride of the monarch. His opposition in the house of lords to the bill for indulgence to tender consciences was never forgotten; and recently, when the plan of putting the treasury in commission was debated during the parliament at Oxford, his conduct had given deep and lasting offence. He was at last taught to feel that, though he might still be consulted as formerly, he no longer enjoyed the royal friendship; and his political opponents, seeing the slippery ground on which he stood, laboured to precipitate his fall.†

He is impeached by Bristol. 1663. July 9.

As early as the year 1663, the earl of Bristol, a catholic peer, in a moment of irritation, proceeding from some supposed injury offered to him by Clarendon, requested an audience of Charles in the presence of lord Arlington; and, forgetting the re-

* Clarendon, 383—5.

† Clarendon, 245. 8. 321. 358. 361. Life of James, i, 398. 428. Pepys, iv. 268.

spect due to the monarch, openly reproached him with his indolence, his expenses, and his amours; charged him with sacrificing his best friends, and among them himself, to the ambition of the chancellor, and ended with a threat that, unless justice were done to him within twenty-four hours, he would raise a storm, which should astonish both the king and his minister. Bristol escaped with difficulty from the personal resentment of his sovereign; and the next day, rising in the house of lords, impeached Clarendon of high treason, and of divers heinous misdemeanors. But this pompous denouncement, when he descended into particulars, dwindled into the ridiculous charge that the chancellor had laboured both by his public conduct and private discourse, to create a belief that the king was in heart a papist, and that on himself, his vigilance, and authority, depended the preservation of the protestant establishment. The judges being consulted, replied that none of the offences charged, supposing them proved, could amount to high treason; and the king, by issuing a warrant for the apprehension of the accuser, put an end to the prosecution. Bristol absconded for a time, and returned not to court till the fall of his adversary.*

The king abandons him.

This abortive attempt did not dishearten the enemies of the chancellor. They lost no opportunity of undermining his credit with the king or the nation: men of opposite interests gradually crept into the council; and his refusal to allow his wife to visit Castlemain gave mortal offence both to Charles and his mistress.† The reader is aware of Buckingham's conduct during the last session of parliament. At its conclusion, the king, who had obtained from one of his agents secret information of his intrigues, deprived him of his offices at court, and ordered him to surrender to the lieutenant of the Tower. The duke concealed himself; but the agent died; Buckingham made his peace with Castle-

1667. March 11. June 28.

* Clarendon, 208. L. Journals, xi. 55. 59, 60. St. Trials, 312—8. Life of James, i. 427. Pepys, ii. 62. 70, 90. 95. Clarendon attributes Bristol's enmity to the king's refusal of supplying him with money, which refusal he attributed to the chancellor. But the real offence arose out of the following circumstance:—When Charles was annoyed by the reflections made in the house of commons during the debate on the revenue, he informed the house that sir Richard Temple, a leader of the opposition, had offered, on certain conditions, to obtain for him a more ample revenue than he could desire. At the request of the commons, he named the earl of Bristol as the bearer of the offer; who hastened to the house, and, being admitted, in an ingenious and eloquent speech vindicated both himself and Temple from the imputation. C. Journals, 1663, June 13. 20. 26; July 1. The giving up of his name was the offence, which he imputed to the advice of Clarendon.

† Clarendon, 361. Life of James, 28. Macpherson, 35, 7.

main, presented himself to the lieutenant, was examined before the council, discharged, permitted to kiss the king's hand, and restored to his former employments.* From that moment the doom of Clarendon was sealed. When the Dutch fleet rode victorious in the mouth of the river, he had advised the king to dissolve the parliament, and support the troops on the coast by forced contributions from the neighbouring counties, to be repaid out of the next supply. This counsel was divulged by some of his enemies, and represented as a plan to govern the kingdom with a standing army in the place of the parliament. The imputation was every where received with expressions of abhorrence, and provoked the additional charges of venality and ambition. The presents which he had been in the habit of receiving from all who sought his friendship or protection, were held forth as proofs of his rapacity: that magnificent pile called Clarendon-house was said to be so far beyond the resources of his private fortune, that it must have been raised with the aid of money received from the enemies of his country; and the marriage of his daughter to the duke of York was attributed to his desire of becoming the father of a race of monarchs; a desire which had moreover led him to introduce to the royal bed a princess incapable of bearing children, that the crown might descend to the issue of the duchess.† The latter charge was not only circulated in public, but insinuated to Charles himself, together with the information, that the convention parliament would have settled a much more ample revenue on the crown, had not its liberality been checked by the jealousy or the presumption of Clarendon.‡ If the king appeared to listen to these suggestions, he still refused to believe that the chancellor had been unfaithful to his trust in any point of importance: but he was daily beset by Buckingham, Arlington, sir William Coventry, and lady Castlemain, who represented to him the discontent of the nation, the power of the chancellor's enemies, and the probable consequences of an impeachment in parliament; and he at last informed that minister, through the duke of York, that he expected him to resign, as an expedient by which he might at the same time save himself from prosecution,

July 16.

* Clarendon, 434. Pepys, iii. 276. 287, 8. 292. Carte, ii. 347. 9.

† "How far this jealousy may have entered into the king himself, to make him more easily part with his minister, I leave it for others to guess." Life of James, 393. Burnet, i. 435.

‡ "Some have thought, not improbably, that this remissness of his proceeded from a jealousy that the king was inwardly inclined to popery." Life of James, 393. On the contrary, it is said by sir William Coventry, that it proceeded from an overweening opinion of his own influence, "that he could have the command of parliaments for ever." Pepys, iv. 276.

and spare his sovereign the pain of taking his office from him.

And deprives him of the seal. Aug. 26.

But the pride of Clarendon scorned to bend to the storm; and consciousness of innocence urged him to brave the malice of his enemies. He waited on the king, and avowed his determination not to resign—it would amount to a confession of guilt; expressed a hope that the seal would not be taken from him—it would prove that his sovereign was dissatisfied with his services; and conjured him to disbelieve the suggestions of lady Castlemain—for she was an angry and vindictive woman. After a conference of two hours, he retired, leaving the king disappointed by his obstinacy, and offended by his allusions to "the lady." The duke of York pleaded strongly in behalf of his father-in-law. But he himself was no longer in favour: the influence of the brother yielded to that of the mistress; and the chancellor received a positive order to surrender the

Aug. 30. great seal, which was delivered to sir Orlando Bridgeman, chief justice of the common pleas.*

He is impeached by the commons.

In six weeks the parliament assembled. Buckingham had previously been restored to his place in the council and the bed-chamber; and Bristol, issuing from his retirement, had appeared again at court.

Oct. 15. To an address of thanks from the two houses for the removal of the chancellor, the king replied, by promising never more to employ him in any capacity whatsoever. It may be that by this promise he hoped to satisfy the enemies of Clarendon; but they argued that the fallen statesman might, on some future day, recover the favour of his sovereign, or be restored by his son-in-law, should that prince succeed to the throne; their personal safety demanded precautions against his subsequent revenge; and to consummate his ruin, it was resolved to proceed against him by impeachment.

Nov. 6. Seventeen charges were fabricated in a committee of the lower house, imputing to him venality and cruelty in the discharge of his office of chancellor, the acquisition by unlawful means of enormous wealth, the sale of Dunkirk to France, the disclosure of the king's secrets to his enemies, and the design of introducing a military government without the intervention of parliament. Nothing, however,

* Clarendon, 422—5. 7. 435—40. Life of James, 427—9. Macpherson, Pap. 138. Pepys, iii. 332. 8. Pepys tells a laughable story of Castlemain, who, when she heard about noon that Clarendon had left the king after their interview, leaped out of bed, and ran into the aviary, that she might observe his countenance as he passed. 334.—Bridgeman was unfortunate in his promotion. Afraid of deciding wrong, he laboured to please both sides, and always gave something to each of the contending parties in his court. He lost his reputation. North's Lives, etc. i. 179.

could be more informal than the proceedings on this occasion. No papers were ordered, no witnesses were examined; the several charges were adopted on the credit of members, who engaged to produce proof whenever it might be deemed necessary; and the house in a body impeached Clarendon at the bar of the house of lords of high treason, and other crimes and misdemeanors, requesting, at the same time, that he might be committed to custody, till they should exhibit articles against him.* Nov. 12.

It is probable, that from the absence of the duke of York, (he was confined to his chamber by the small-pox), the enemies of Clarendon had promised themselves an easy victory. But the duke commissioned his friends to defend his father-in-law; the bishops felt themselves bound to support him as the patron of orthodoxy; and several peers, convinced of his innocence, cheerfully seconded their efforts. They did not, indeed, dare openly to advocate his cause, but they entrenched themselves behind forms and privileges; they contended that to commit on a general charge was contrary to ancient practice; that the first precedent in its favour was furnished by the impeachment of the earl of Strafford, a precedent which the house would not follow, because the attainder had been reversed, and the proceedings erased from the journals; and they maintained that the lords ought to be careful how they sanctioned a pretension, which might prove in future times prejudicial to them and their posterity. After several animated debates, it was twice resolved by a small majority, that the accused should not be committed, because no specific charge was contained in the impeachment.† And protected by the lords. Nov. 14. Nov. 20.

The commons resented this decision of the lords: conferences were repeatedly held, and each house pertinaciously adhered to its former opinion. The king's perplexity daily increased. He observed that the proceedings began to take the same course as in the impeachment of the earl of Strafford; and the calamities which followed the condemnation of that nobleman stared him in the face. He proposed, as an expedient, that the earl should clandestinely leave the kingdom; but no argument, no entreaty, could prevail on Clarendon to take a step, which he deemed derogatory from his character; and the monarch, Charles orders him to quit the kingdom.

* C. Journals, Nov. 6. 8. 11. State Trials, vi. 330. Clarendon, 445—8. 460. Life of James, i. 431. Pepys, iii. 410, 411, 420.

† Clar. 450. L. Journ. 135—7. Pepys, iii. 415. Clarendon, in a letter to Ormond, says, "I must not omit to tell you, that the duke of York hath been and is as gracious to me, and as much concerned for me, as is possible. I have not many other friends to brag of." Carte, ii. App. 38.

irritated by his obstinacy, began to speak of him in terms of aversion. His enemies now ventured to make use of the royal name. It was rumoured that the king had also offences to punish, that Clarendon had presumed to thwart him in his amour with the beautiful Miss Stewart, and had persuaded her to marry the duke of Richmond. The earl, in a letter which he sent by the lord keeper, denied this charge: the king read it, burnt it deliberately in the flame of a candle, and coolly replied, that he was unable to understand its contents, but wondered what Clarendon was doing in England. *

Nov. 16.

This hint, however, was lost on the determined mind of the fallen minister. It was followed by an unavowed message delivered by the bishop of Hereford; the same advice was then urged by the French ambassador, and, when every other expedient had failed, the duke of York, by express command, carried to him a royal order to retire to the continent. He reluctantly obeyed; and having addressed a vindication of himself to the house of lords, secretly withdrew to France.†

Nov. 29.

He is banished by act of parliament. Dec. 9.

His departure put an end to the quarrel between the two houses,‡ but did not satisfy the resentment or the apprehensions of his enemies. His vindication was voted a scandalous and seditious libel, and ordered to be burnt by the hands of the common hangman. In a few days followed an act banishing him for life, disabling him from holding office, subjecting him to the penalties of high treason if he returned to England, and rendering him incapable of pardon unless by act of parliament.§

Dec. 29.

* Clarendon, 454—6. Life of James, i. 432. L. Journ. 154. That Charles was offended with the marriage, is certain. Clar. 453. If we may believe Stewart herself, she wished to marry to relieve herself from his importunities, and therefore accepted the offer of the duke of Richmond with the king's acquiescence. Pepys, iii. 203. But the report was that Charles thought of her for his own wife, that he consulted Sheldon, archbishop of Canterbury, on the means of procuring a divorce, that Sheldon revealed the secret to Clarendon, and that Clarendon, to secure the succession to his daughter's issue, brought about the marriage of Stewart with the duke of Richmond. Burnet i. 436. Lord Dartmouth's Note, 438. Pepys, iii. 293. It makes against this story, that when a divorce was suggested afterwards to Charles, he replied that his conscience would not permit it. Life of James, i. 439.

† It is certain that the duke took the order to Clarendon; yet lord Cornbury says, that his father withdrew, because it was intended to dissolve the parliament, and try him by a jury of peers. Carte, ii. App. 39.

‡ The commons, however, entered two resolutions on their journals, that in such cases the accused ought to be secured, and that, when he is in custody, the lords may limit a time within which the particular charge may be specified. C. Journ. Dec. 5.

§ L. Journ. 154. 157. 162. 7. 9. St. 19. Car. ii. c. 10.

Notwithstanding this severity, it is certain that he fell a victim to the hostility of party. The charges against him were not supported by any lawful proof, and most, if not all, were satisfactorily refuted in his answer.* Yet he must not be considered an immaculate character. His dread of republicanism taught him to advocate every claim of the prerogative, however unreasonable, and his zeal for orthodoxy led him to persecute all who dissented from the establishment. He was haughty and overbearing; his writings betray in many instances his contempt for veracity: and his desire of amassing wealth provoked Evelyn to remark of him, that "the lord chancellor never did, nor would do, any thing but for money."† He bore with impatience the tedium of exile; but his frequent solicitations for permission to return were treated with neglect by Charles, who felt no inclination to engage in a new contest for the sake of a man, whom he had long before ceased to esteem. Clarendon died at Rouen in Normandy, in 1674.

* Clarendon, 478.

† See Historical Inquiry respecting the character of Clarendon by the Hon. George Agar Ellis, 1827.

CHAP. IV.

CHARLES II.

THE TRIPLE ALLIANCE.—SECRET NEGOTIATION WITH FRANCE.—CONVERSION OF THE DUKE OF YORK.—INTRIGUES TO ALTER THE SUCCESSION.—DIVORCE OF LORD ROOS.—VISIT OF THE DUCHESS OF ORLEANS.—SECRET TREATY WITH FRANCE.—DEATH OF THE DUCHESS.—SECOND SECRET TREATY.—MISCELLANEOUS EVENTS.—CHARACTER OF THE CABAL.—STOPPAGE OF PAYMENTS FROM THE EXCHEQUER.—DECLARATION OF INDULGENCE.—OF WAR AGAINST THE STATES.—VICTORY AT SOUTHWOLD BAY.—FRENCH CONQUESTS BY LAND.—PROCEEDINGS IN PARLIAMENT.—THE INDULGENCE RECALLED.—THE TEST ACT PASSED.

The new ministry.

By the exile of Clarendon the ministry, which had been established at the restoration, was entirely dissolved. The duke of Ormond resided in his government of Ireland, Southampton was dead, Albemarle incapacitated by age and infirmity, and Nicholas had resigned. The new cabinet, or, as it was called in the language of the time, "the king's cabal,"* consisted of the duke of Buckingham, who held no ostensible office till he purchased that of master of the horse from Monk, of sir Henry Bennet, now lord Arlington, principal secretary of state, of the lord keeper Bridgeman, and of sir William Coventry, one of the commissioners of the treasury.† Of these, Coventry, by his superior information and abilities, excited the jealousy of his colleagues; but unfortunately possessed not the art of pleasing

* Pepys, iv. 243. The word "cabal" at this period meant a secret council. See the Diaries of Pepys and Evelyn, and Whitelock, (p. 477) as early as the year 1650. By D'Estrades the present ministers are called "la cabale d'Espagne." D'Estrades, v. 39. The whole council was divided into three committees: one for foreign affairs, the real cabal; another for military and naval affairs; a third for trade; and a fourth for the redress of grievances. Jan. 31.

† Southampton, the lord treasurer, died May 16th, 1667, and June 1st the treasury was put into commission. The commissioners were, the duke of Albemarle, Lord Ashley, sir Thomas Clifford, sir William Coventry, and sir John Duncombe.

the king, who, from his habit of predicting evil, gave him the name of "the visionary." Buckingham and Arlington were bitter enemies at heart; though the necessity of their situation made them apparent friends. Bridgeman was consulted for convenience. Hitherto he had acquired no particular claim to the favour of the monarch, or the confidence of the people.

The triple alliance.

The rapid conquests of the French king in Flanders during the last summer, had drawn the eyes of Europe towards the seat of war in that country. The pope, Clement IX. through pity for the young king of Spain, and the States, alarmed at the approach of the French arms to their frontier, offered their mediation. To both Louis returned the same answer, that he sought nothing more than to vindicate the rights of his wife: that he should be content to retain possession of the conquests which he had already made, or to exchange them either for Luxemburg, or Franche-comté, with the addition of Aire, St. Omer, Douai, Cambrai, and Charleroi, to strengthen his northern frontier; and that he was willing to consent to an armistice for three months, that the Spanish government might have leisure to make its election between these alternatives. But Spain was not sufficiently humbled to submit to so flagrant an injustice; the time was sullenly suffered to pass by, and the mediators renewed their instances to obtain from Louis a prorogation of the armistice for the additional space of three months. He consented to abide by his former offer during that term; but refusing the armistice, overran in the mean time the whole province of Franche-comté, for the sole purpose, as he pretended, of compelling Spain to come to a decision.*

1668. Jan. 17.

Temple sent to the Hague. 1667. Dec. 22.

If it was the interest of England, it was still more the interest of the States, to exclude France from the possession of Flanders. Under this persuasion, the new ministers had despatched sir William Temple to the Hague, with a proposal that both nations should unite with Spain, and compel the French monarch to retire within the former limits of his kingdom. The States were embarrassed. On the one hand, they considered the interposition of the Spanish Netherlands as the great bulwark of their independence against the superior power of France: on the other, they hesitated to engage in a dangerous war against an ancient friend and ally at the advice of a prince whom they knew to be their personal enemy. But Temple acted with promp-

1668. Jan. 8.

* OEuvres de Louis, ii. 326, 334. 344—56; v. 419.

titude and address; he appealed to their fears; he represented the danger of delay, and, contrary to all precedent at the Hague, in the short space of five days he negotiated three treaties, by which, if he did not succeed to the full extent of his instructions, he trusted to oppose at least an effectual barrier to the further progress of the invaders. The first was a defensive league by which the two nations bound themselves to aid each other against any aggressor with a fleet of forty men of war, and an army of six thousand four hundred men, or with assistance in money in proportion to the deficiency in men: by the second, the contracting powers agreed by every means in their power to dispose France to conclude a peace with Spain on the alternative already offered, to *persuade* Spain to accept one part of that alternative before the end of May, and, in case of a refusal, to *compel* her by war; on condition that France should not interfere by force of arms.* These treaties were meant for the public eye: the third was secret, and bound both England and the States, in case of the refusal of Louis, to unite with Spain in the war, and not to lay down their arms till the peace of the Pyrenees were confirmed. In a few days, Sweden acceded to the league, which from that circumstance obtained the name of the triple alliance.†

Jan. 13.

Louis received the news of this transaction with an air of haughty indifference. His favourite commanders, Condé and Turenne, exhorted him to bid defiance to the interference of the three powers: his cabinet ministers to be content with the alternative which he had himself proposed. He assented to their advice; but for a reason, of which they were ignorant. In consequence of the infirm state of the young king of Spain, he had secretly concluded with the emperor Leopold an "eventual" treaty of partition of the

* Temple, Works, i. 415. After all, this was little more than the States had already proposed to Louis, as appears from a letter from him, dated Jan. 17, before he had heard of these treaties. Ce seroit un coup pour la paix, qui la rendroit infaillible et prompte, si le roi de la Grande-Bretagne entroit dans le même sentiment des états-généraux, d'obliger les Espagnols à l'acceptation des deux alternatives. OEuvres, v. 421. Si la façon en eût été un peu plus obligeante, il n'y auroit eu rien à désirer. Temple, i. 490.

† Temple's Works, i. 312—84. Dumont, vii. 66. 68. Much praise has been lavished on this negotiation, as if it had arrested Louis in his career of victory, and preserved the independence of Europe. From the references in the preceding and following notes, it will be seen that it accomplished nothing more than the French king himself was anxious to effect. He had already stipulated in "the eventual treaty" with the emperor, to require from Spain the same conditions as were now prescribed by England and the States; he had employed the influence of Leopold to obtain the consent of the Spanish cabinet to those conditions, and he had commissioned d'Estrades to solicit the co-operation of England and the States, both by advice and threats, to extort that consent.

Spanish monarchy on the expected death of Charles, and by that treaty had already bound himself to do the very thing which it was the object of the allied powers to effect.* Jan. 9.

The marquess of Castel-Rodrigo, the Spanish governor of the Netherlands, sought delay, under the vain hope of inducing the Dutch (of England he was secure) to engage at once in the war. But the intervention of the emperor, in consequence of the eventual treaty, put an end to the hesitation of the Spanish cabinet; the ambassadors of the several powers met at Aix-la-Chapelle; Spain made her choice; the conquered towns in Flanders were ceded to Louis, and peace was re-established between the two crowns.† The conduct of Charles during the whole of this transaction served to raise him in the estimation of Europe. But the States could ill dissemble their disappointment. They never doubted that Spain, with the choice in her hands, would preserve Flanders, and part with Franche-comté. It was this persuasion that induced them to refuse the first project of the English ministry, and to prefer the binding of Louis to his offer of the alternative. The result was owing, it is said, to the resentment of Castel-Rodrigo, who, finding that the States would not join with England to confine France within its ancient limits, resolved to punish them by making a cession, which brought the French frontier to the very neighbourhood of the Dutch territory.‡ Treaty of Aix-la-Chapelle. April 22.

When the parliament assembled after the adjournment, Buckingham discovered that his success against Clarendon in the last session had proceeded, not from his own influence, but the unpopularity of that statesman. His immediate dependents in the lower house were heard without attention; and the jealousy of the churchmen had been awakened by his close connexion with the presbyterians, that of the cavaliers by his discharge of the republicans, whom the late administration had incarcerated as a measure of precaution. Neither did it add to the reputation of the prime minister that his profligacy had led him, for the sake of lady Shrewsbury, with whom he lived in open adultery, to fight a duel, in which one of his seconds was killed on the spot, and the earl of Shrewsbury, the in- Proceedings in parliament. Feb. 10. Jan. 16.

* OEuvres de Louis, ii. 360—72. See the account of the "eventual treaty," which was kept secret for almost a century, in the works of Louis, vi. 402.

† Temple, 420—56. D'Estrades, v. 351. Dumont, vii. 89. 91. Louis, vi. 417.

‡ Temple, 414—7.

jured husband, was mortally wounded.* The commons began by instituting a rigid inquiry into the conduct of persons employed under the former administration. Prince Rupert and the duke of Albemarle had already furnished narratives of their proceedings during the war: commissioner Pett was impeached of culpable neglect in the care of his majesty's ships when the Dutch entered the river; Penn of the embezzlement of prize goods to the value of 115,000*l.*; and Brunkhard, who had absconded, was expelled the house for his presumption in having ordered sail to be slackened during the pursuit after the victory of the 3d of June, 1665. To these proceedings Buckingham had no objection; but, to his surprise, the commons voted only one half of the sum which he demanded under the head of naval expenses, and obstinately resisted all his efforts to obtain some favour for the dissenters in accordance with the wish of the sovereign. The conventicle act would expire within six months; and Charles, who still felt himself bound by the declaration of Breda, was anxious to prevent its renewal. Aware of the rock on which his former endeavours had split, he was careful to make no mention of the catholics: he confined his request of indulgence to the dissenters among his protestant subjects; but the very report of his intention had awakened the usual cry that the church was in danger: on the morning, just before he expressed his wish to the two houses, the commons voted an address to him, to put in execution all the laws against nonconformists and papists; and afterwards, a bill was passed and sent to the lords, having for its object to continue the existing penalties against the frequenters of conventicles. This, however, did not prevent the friends of toleration from proposing, in conformity with the royal suggestion, measures for the comprehension of protestant dissenters; but the motion, after several adjourned debates, was negatived, on a division, by a majority of more than two to one.† April 28.

Dispute between the houses.

The remaining business in parliament was now interrupted by a most violent quarrel between the two houses, on a question of privilege. Several years had passed since Skinner, a private trader, preferred to the king in council a complaint of divers injuries which he alleged that he had suffered from the agents of the

* Pepys, iv. 15. Lady Shrewsbury was daughter to the earl of Cardigan. Report said that, in the dress of a page, she held the duke's horse while he was fighting with her husband.—When Buckingham took her to his own house, the duchess observed to him, that it was not for her and his mistress to live together; he replied—"Why, so I have been thinking, madam, and therefore have ordered your coach to carry you to your father's." Pepys, 109.

† Pepys, iv. 34. C. Journals, Ap. 28. Parl. Hist. iv. 413—422.

East-India company. After several hearings, the council commissioned the archbishop of Canterbury, 1656. March 23. the chancellor, and two other lords to effect a compromise between the parties; but the company refused to abide by their decision, and the king was advised to recommend the case to the attention of the house of Dec. 6. lords, as the supreme court of judicature in the nation. But the opponents of Skinner objected to the jurisdiction of the lords. The cause, it was maintained, 1667. Jan. 19. did not come before them by way of appeal, or bill Jan. 28. of review, or writ of error. It was an original complaint, which must be first heard in the ordinary courts of law. In the following session, Skinner petitioned the lords for redress; the company renewed their Oct. 30. objection; but the house pronounced the complainant entitled to damages, and appointed a committee to assess the amount. After the adjournment, the company petitioned the house of commons for protection 1668. March 16. against the usurpation of the lords. By the upper house this petition was voted a scandalous libel: the lower not only received it, but passed resolutions censuring the conduct of the lords as contrary to law, and May 2. derogatory from the rights of the subject. They were met with opposite resolutions from the upper house, declaring the votes of the commons a breach of privilege, and the proceedings of the lords warranted both by law and precedent. Thus open war was declared; each house obstinately maintained its own pretensions; the lords resolved to pass no other bill than that of the supply; and the commons rejected a bill which had been sent to them for the re- May 4. gulation of the trials of peers. By the king, the ninth of May had been fixed for the conclusion of the session. Early in the morning the commons sent a May 9. message to the lords, proposing a suspension of all proceedings in the cause till the next meeting of parliament, and having received no answer, resolved that whosoever should put in execution the orders or sentence of the house of lords in the case of Thomas Skinner, should be deemed a traitor to the liberties of Englishmen, and an infringer of the privileges of the house of commons. The king, having given the royal assent to the bills which were prepared, ordered the two houses to adjourn, and expressed a hope that, before he should meet them again, some expedient might be discovered for the accommodation of this difference. The commons obeyed: the lords continued to sit, called before them sir Samuel Barnardiston, the govearor of the company, and committed him to the custody of the black rod, till he should have paid

to the king a fine of 300*l*. Having thus vindicated their authority, they also adjourned.*

Licentiousness at court.

At the restoration of peace, trade quickly returned into its ancient channels; the murmurs of discontent were gradually hushed; and the expiration of the conventicle act afforded relief and satisfaction to the dissenters. The present proved the most tranquil period of the king's reign, but it was disgraced by the extravagance and licentiousness of the higher classes. The gallants of the court shocked the more sober of the citizens by their open contempt of the decencies of life,† while Charles laughed at their follies, and countenanced them by his example. At the same time that he renewed his visits and attentions to the duchess of Richmond, he robbed the theatres of two celebrated actresses, known to the public by the dignified appellations of Moll Davies and Nell Gwin. Davies had attained eminence as a dancer—Gwin attracted admiration in the character and dress of a boy. The former received a splendid establishment in Suffolk-street, and bore the king a daughter, afterwards married into the noble family of the Radclyffes. The latter became the mother of the first duke of St. Albans. Charles never allowed her to interfere in matters of state; but he appointed her of the bed-chamber to the queen, and assigned her lodgings in the neighbourhood of the court. She was so wild, and witty, and eccentric, that he found in her company a perpetual source of amusement, a welcome relief from the cares that weighed so heavily upon him at times, in the subsequent years of his reign. Habit, however, still preserved to Castlemain the empire, which she had formerly acquired. She suppressed all appearances of jealousy, and sought her revenge by allowing herself the same liberties in which her paramour indulged.‡

Intrigues of Buckingham.

While Charles pursued his pleasures, Buckingham sought to consolidate his own power. By degrees he weeded all, of whose fidelity he was suspicious, out of the different departments of the ad-

* St. Trials, vi. 710—63. L. Journ. xii. 420. 7. Parl. Hist. iv. 422. Marv. 109. On the 8th of May the commons sate on this question from dinner time till five the next morning. Marvell, i. 107. Pepys, iv. 103. Barnardiston remained in custody till the night of Aug. 10, the day before the expiration of adjournment. By whose authority he was discharged, he did not know. Parl. iv. 431.

† See Pepys, iv. 116. 118. 145. Sir Charles Sedley and lord Buckhurst distinguished themselves above others. Ibid. 185, 6, 7.

‡ Pepys, iv. 10. 14. 90. 111. 223. 250. Evelyn, ii. 339. Burnet, i. 457. Sandford, 652. 4. About this time, May 11, a meteor was seen, and the ignorance and bigotry of the people are amusingly described by Pepys on the occasion. "The world do make much discourse of it, their apprehensions being mighty full of the rest of the city to be burned, and the papists to cut our throats." iv. 112.

ministration. Secretary Morrice was exchanged for sir John Trevor; the duke of Ormond, after a long struggle surrendered the government of Ireland to the lord Robartes; and Coventry himself was provoked to furnish a decent pretext for his dismissal. Buckingham had procured a farce to be written for the purpose of ridiculing him on the stage. Coventry sent the duke a challenge; the matter was laid before the king in council; and the challenger was sent to the Tower, and deprived of office. But the principal person, against whom he directed his attacks, was the duke of York. He was aware of the contempt which that prince expressed for his character, and of the influence exercised by the duchess, Clarendon's daughter, over the mind of her husband. James received repeated affronts in the name of the king, which he bore without complaint. The conduct of the admiralty was blamed; his friends were displaced; and the dependents of his adversary were introduced into his office in defiance of his remonstrances. It was rumoured that he had lost the royal confidence, and would soon be deprived of his place of lord high admiral. But Charles was recalled to a sense of the protection which he owed his brother, by the boldness of an old cavalier, sir William Armourer, who told him publicly of the reports in circulation respecting his jealousy of the duke of York. He instantly replied, that they were false; and when Buckingham, under pretence of fear for his life from the resentment of James, affected to travel surrounded by armed men, the king laughed in his face at the utter folly of the insinuation. The minister began to feel alarm: he turned to solicit a reconciliation with the duke, and received a contemptuous refusal.*

Financial measure.

Buckingham, however, might depend on the royal favour as long as he could supply the king with money. That nothing was to be obtained from the liberality of the parliament, had been proved by the proceedings in the last session; and an attempt was therefore made to reduce the annual expenditure below the amount of the royal income. On examination, it was found that the yearly receipts did not exceed 1,030,000*l.*; by a new regulation, three-fourths of this sum were allotted to defray the expenses of the civil list, and of the remaining fourth, 100,000*l.* was appropriated to discharge the interest of the

July 22.

* Life of James, 432—40. Macph. Pap. i. 41. 3. 5. 7. 50. Pepys, iv. 151. 5. 8. 188. 191, 2. 5. 246. 9. 255. 7. 262. The reports mentioned by Pepys are confirmed by the duke of Ormond: "Arlington told me that I joined too much in my counsel and conversation with men unsatisfied: and (which I wondered at) he named the duke and the archbishop of Canterbury." Carte, ii. App. 67.

public debt, the remainder to cover accidental deficiencies, and to pay, as far as it would go, the several pensions granted by the king.*

Secret negotiation with France.

But this plan of economy accorded not with the royal disposition, nor did it offer any prospect of extinguishing the debt. Charles remembered the promise of pecuniary assistance from France in the beginning of his reign; and though his previous efforts to cultivate the friendship of Louis had been defeated by an unpropitious course of events, he resolved to renew the experiment. Immediately after the peace of Aix-la-Chapelle, Buckingham opened a negotiation with the duchess of Orleans, the king's sister in France, and Charles, in his conversation with the French resident, apologized for his conduct in forming the triple alliance, and openly expressed his wish to enter into a closer union, a more intimate friendship, with Louis. These overtures were at first received with coldness and reserve, which, instead of checking, seemed to stimulate the ardour of the king. There was one point in which both monarchs agreed, their hatred of the Dutch. Charles could not forget their inhospitality during the time of his exile; the unsuccessful termination of the late war had strengthened his dislike; and he ardently wished for the opportunity of gratifying his revenge. On the other hand, the pride of Louis had often been offended by the pride of these republicans; and their presumption in acceding to the secret articles in the triple alliance was deemed by him the strongest proof of their ingratitude. About the end of the year the communications between the two princes became more open and confidential; French money, or the promise of French money, was received by the English ministers; the negotiation began to assume a more regular form, and the most solemn assurances of secrecy were given, that their real object might be withheld from the knowledge, or even the suspicion, of the States.†

May 11.

Duke of York be-

In this stage of the proceedings Charles received an important communication from his brother James. Hitherto that prince had been an obedient

* See it at length in Ralph. i. 175.

† See the papers in Dalrymple, ii. 4—21. They are all published as referring to the same subject. But this is a mistake. The letters of Feb. 27, 1669, in p. 4, and of Jan. 19, 1669, in p. 19, ought to be dated in 1665, and that of Feb. 9, 1669, in p. 21, in the year 1666. This is evident from their contents. Also Macpherson, i. 56. The secret, however, was not kept. For the sole information of the king of Sweden, Puffendorf, his agent, was permitted by Turenne to read a letter from Colbert, the ambassador in England, who boasted of his success, adding that he had made some of the leading ministers to feel, sentir toute l'étendue de la libéralité de sa majesté. This Puffendorf communicated to de Witt. Temple, ii. 40.

and zealous son of the church of England; but Dr. Heylin's History of the Reformation had shaken his religious credulity, and the result of the inquiry was a conviction that it became his duty to reconcile himself with the church of Rome. He was not blind to the dangers to which such a change would expose him; and he therefore purposed to continue outwardly in communion with the established church, while he attended at the catholic service in private. But, to his surprise, he learned from Symonds, a jesuit missionary, that no dispensation could authorize such duplicity of conduct: a similar answer was returned to the same question from the pope, and James immediately took his resolution. He communicated to the king in private that he was determined to embrace the catholic faith; and Charles, without hesitation, replied that he was of the same mind, and would consult with the duke on the subject in the presence of lord Arundel, lord Arlington, and Arlington's confidential friend, sir Thomas Clifford. Of these three, the first was a known catholic; the other two had hitherto professed themselves protestants, but more for fashion's sake, than through any real attachment to the reformed creed. They, like most others in the higher circles of society at that period, had, in the language of James, "their religion still to choose." comes a Catholic.

The meeting was held in the duke's closet. Charles, with tears in his eyes, lamented the hardship of being compelled to profess a religion which he did not approve, declared his determination to emancipate himself from this restraint, and requested the opinion of those present, as to the most eligible means of effecting his purpose with safety and success. They advised him to communicate his intention to Louis, and to solicit the powerful aid of that monarch.* Secret consultation. 1669. Jan. 25.

Here occurs a very interesting question,—was Charles sincere, or not? That of the two churches he preferred the more ancient, there can be no doubt. Both the duke of Ormond and Daniel O'Nial had seen reason to suspect him of a secret leaning towards the catholic worship about the time of the conferences at the Pyrenees; and he had recently avowed the same to Arlington and Clifford.† But the king's religious belief was of his own creation. To tranquillize his

* James, i. 440. Dalrymple, ii. 22. Macpher. i. 50. 52. See also the travels of Cosmo for the orthodoxy of James, 456.

† Carte's Ormond, ii. 254. James i. 441. That he was a staunch protestant in 1658 is evident from the papers in Thurloe, i. 740—5; but in 1669, the author of Cosmo's Travels remarks, that though he "observes with exact attention the religious rites of the church of England, there is reason to believe that he does not entirely acquiesce, and that he may perhaps cherish other inclinations." 456.

conscience, he had persuaded himself that his immoralities were but trifling deviations from rectitude, which a God of infinite mercy would never visit with severity; and, as for speculative doctrines, the witty and profligate monarch was not the man to sacrifice his ease and to endanger his crown for the sake of a favourite creed. He was the most accomplished dissembler in his dominions; nor will it be any injustice to his character to suspect, that his real object was to deceive both his brother and the king of France. In his next letter to his sister Henrietta, he informs her that the duke had been brought into "the business on the score of religion," and he openly told her at Dover, that "he was not so well satisfied with the catholic religion, or his own condition, as to make it his faith."*

Progress of the negotiation.

Now, however, the secret negotiation proceeded with greater activity; and lord Arundel, accompanied by sir Richard Bellings,† hastened to the French court. He solicited from Louis the present of a considerable sum, to enable the king to suppress any insurrection which might be provoked by his intended conversion, and offered the co-operation of England in the projected invasion of Holland, on the condition of an annual subsidy during the continuation of hostilities. To these proposals no direct objection was made; and the discussion turned chiefly on one point, whether the declaration of the king's catholicity should precede or follow the declaration of war.

James, with all the fervour of a proselyte, urged his brother to publish his conversion without delay. War, by creating a want of money, would render him dependent on the bounty of parliament; but now he was his own master; the army was loyal; all the governors of garrisons were attached to his person: the sufferings of the non-conformists from the intolerance of the established church would teach them to look on any change as a benefit, and within the pale of the establishment itself there were numbers who had no settled notions of religion, but were ready to fashion their creed by their convenience.

Louis, on the contrary, represented to the king, that a premature declaration might endanger his crown and his person; that nine-tenths of his subjects were hostile to the catholic faith; that religious discord acted with the fury and the rapidity of a volcano; that insurrection was to be expected in the

* Dalrymple, i. 226; ii. 22.

† Bellings had been secretary to the catholic confederacy in Ireland, and since the restoration had been confidentially employed by Clarendon in several foreign negotiations. On this occasion he was instructed to draw the articles of the treaty. James, i. 442.

capital and in every part of his dominions, and that his army was too small, his friends were too few to countenance the hope of his being able to suppress his opponents. Charles made but a faint endeavour to refute this reasoning. The attempt, he acknowledged, wore the appearance of madness, yet there were reasons to think that it might succeed. In these discussions the year passed away. At Christmas the king publicly received the sacrament; the absence of James, who had been accustomed to accompany his brother, though it did not escape notice, awakened no suspicion.*

Meeting of parliament. Oct. 19.

After repeated adjournments, the parliament had been suffered to meet in October. The commons immediately revived the quarrel with the lords respecting the case of Skinner. They ordered the printer of "The Grand Question concerning the Judicature of the House of Lords" to be prosecuted, voted that Barnardiston had behaved like a good commoner of England, and passed a bill, vacating the judgment pronounced against him, as contrary to law and the privileges of parliament. It was immediately rejected by the lords, who, on their part, passed a bill in vindication of their jurisdiction, which met with a similar fate in the commons. For some time no farther communication took place between the two houses, and the king, to prevent a more violent rupture, put an end to the session by adjournment. The interval was spent by him in earnest endeavours to heal this misunderstanding; and, when they met again, he recommended to both to erase all the proceedings out of the journals, and to abstain from the renewal of the question. They consented: in appearance each house was replaced in the same situation in which it stood before the quarrel: in reality the victory was gained by the commons. By the erasures, the two judgments of the lords were vacated, and from that moment their claim to original jurisdiction in civil causes has been silently abandoned.†

Dec. 11. 1670. Feb. 14. Feb. 22.

New conventicle act.

The public business now occupied the attention of parliament, 1. The expiration of the conventicle act had raised the hopes of the dissenters, and the lord-keeper and chief justice Hales had been employed to draw an act of comprehension, by which the greater part of them might be incorporated with the establishment. On the one side, Wilkins, bishop of Chester, with Tillotson, Stillingfleet, and Burton; on the other, Bates, Manton, and Bax-

* Dalrymple, ii. 30—37. Life of James, i. 442. Macpher. i. 50.
† L. Journ. xii. 287. 291. Com. Journ. Feb. 22. Parl. Hist. iv. 431. St. Trials, vi. 763—70.

ter, were consulted: and, to remove the chief stumbling-block, the controversy respecting the validity of presbyterian ordination, it was ingeniously proposed that the bishop in the form of re-ordination should make use of the words, "to serve as minister in any parish in England." But the agitation of the project threw the kingdom into a ferment. Parker and Patrick distinguished themselves by the warmth of their writings in support of orthodoxy, and Owen by his learning, Marvell by his wit, ranked at the head of their opponents. One party contended that, to concede at all was to betray the cause of the church, the other that a comprehension of the dissenters offered the only sure expedient to check the diffusion of socinianism and popery. The house of commons did not degenerate from the zeal which it has displayed on so many former occasions. A bill for the suppression of conventicles was sent to the house of lords: it met with a strong opposition from the duke of York and his friends, as well as from the presbyterian peers; but Charles, though he had promised his protection to the non-conformists, deemed it prudent to interfere, and by his solicitations this intolerant bill was suffered to pass. By it certain fines were enacted against all persons above sixteen years of age who should attend, and all ministers who should officiate, at any religious service different from that of the church of England, against the occupiers of the houses in which meetings for that purpose should be held, and against the magistrates who should neglect to enforce the provisions of the law.*

April 11.

Sufferings of the non-conformists.

This act subjected the dissenters to a portion of those severities, which had been so frequently inflicted on the catholics. Spies and informers multiplied: the ministers found it necessary to abscond; houses were entered by force, and searched without ceremony; and the inmates were dragged to prison, condemned to pay fines. That ease, of which the king was so fond, suffered repeated interruptions from complaints and appeals to his justice. When the non-conformists reminded him of his promise of indulgence, he acknowledged the hardship of their case, and checked the vigilance of the officers: when the magistrates remonstrated, that these religious meetings were hotbeds of sedition, he asked, why then did they not execute the law; and to the clergy who complained of the prevalence of sectarianism, he sarcastically replied, that it would never have been the case, had they paid less attention to their dues and more to their duties. Among the sufferers none excited more admiration than the quakers, by their fearless adhesion to their

* St. 22. Car. ii. c. i. Burnet, 449—51.

principles. Disdaining the precautions taken by the other religionists, they proceeded, at the usual hour, openly but peaceably to their meeting house, and, being carried before the magistrates, refused to pay the fines, and were committed to prison. On their release, they returned to the place of meeting as if nothing had happened: the doors were closed; they assembled in the street; and Penn and Mead successively preached. But the auditory was soon dispersed; and the preachers were indicted before the lord mayor and recorder, on the charge of having created a riot. During the trial, the firm and temperate behaviour of the prisoners formed a striking contrast with the harsh and violent proceedings of the court. The jurors having, after a confinement of thirty-six hours, returned a verdict of not guilty, were fined forty marks each, and committed to prison; and Penn and Mead, though acquitted, suffered the same punishment for contempt, in refusing to uncover their heads in presence of the court.*

Intrigues to alter the succession.

2. The mind of Buckingham was still haunted with the apprehensions of revenge on the part of the late chancellor's family, if James were ever to succeed to the crown. The reader will remember that a boy, of the name of Crofts, the reputed son of the king by Lucy Barlow, had been placed for education at the Oratory in Paris. Soon after the restoration, he came to England; Charles ordered him to conform to the established church, created him, by the advice of Bristol and Castlemain, but in opposition to the remonstrances of the queen mother and Clarendon, duke of Monmouth, and gave to him in marriage the countess of Buccleugh, the most wealthy heiress in Scotland.† Buckingham, observing the unbounded affection of the king for this young man, resolved to set him up as a competitor for the crown in opposition to the duke of York. It was confidentially whispered at court that Charles intended to own him for his successor, and the earl of Carlisle and lord Ashley ventured to hint to the king, that if he wished to acknowledge a private contract of marriage with the mother of Monmouth, it would not be difficult to procure witnesses who would confirm it with their testimony. The monarch replied without hesitation that, "much as he loved the duke, he had

Feb. 14. 1663.

In favour of Monmouth.

* Burnet, i. 471. Neal. c. viii. St. Trials, vi. 951—1036. Sewell. ii. 259—71. James, or perhaps the compiler of his life, tells us that "the rigorous church of England men were let loose, and encouraged underhand to persecute, that the non-conformists might be more sensible of the ease they should have when the catholics prevailed." (Life, i. 443.) Marvell that "the lieutenancy of London alarmed the king continually with the fear of the conventicles, so that he gave them powers." i. 420.

† Clarendon, 205, 6, 7.

rather see him hanged at Tyburn than own him for his legitimate son."*

By a divorce.

Buckingham, though disappointed, was not discouraged. He often lamented the king's misfortune in being married to a woman whose repeated miscarriages proved that she would never bear him a successor to the throne. When he offered to steal her away, and convey her to some distant region where she would be never heard of, Charles laughed at his folly: but he was listened to with greater attention when he suggested to the monarch to take another wife. He had already consulted lawyers and divines; and Burnet, afterwards bishop of Sarum, in an elaborate judgment, had decided that barrenness in the woman furnished in certain cases a lawful cause for polygamy or divorce.† Of the two a divorce appeared preferable, as it offered less to shock the feelings of the public; but in cases of divorce no instance could be found of a subsequent legal marriage pending the lives of the parties. The duke, however, undertook to create a precedent. Lady Roos had long lived in adultery: she had been separated from her husband by sentence of the ecclesiastical judge; and her children by her paramour had been declared illegitimate by act of parliament. A more favourable case could hardly be wished for; and a bill was introduced into the upper house, "to enable the lord Roos to marry again." Its object instantly transpired; and the royal brothers exerted all their influence, the king to support, the duke of York to oppose, the bill. The latter did not only obtain the votes of his friends and dependants; but, as the question involved a point of doctrine respecting the indissolubility of marriage, he was joined by all the bishops, with the exception of Cosins of Durham, and Wilkins of Chester,‡ by the catholic peers, and by such of the protestant peers as deemed it proper to follow, on theological grounds, the opinion of the prelates. The second reading was carried only by a small majority: before the third, Charles adopted a measure to animate his friends which surprised both the house and the nation. One morning he suddenly

March 5.

May 17.

March 21.

* Life of James, i. 437. 490. Macpher, i. 44. Burnet, i. 452. "As for the duke of Bucks," says Ormond, "I am confident he not only undervalues, but hates the king's person and his brother's, and has designs apart, if not aimed at the ruin of them both." Carte, ii. 377.

† See Burnet, i. 454, note; and Higgons on Burnet, 232—243. The paper concludes thus: "I see nothing so strong against polygamy as to balance the great and visible imminent hazards that hang over so many thousands, if it be not allowed."

‡ Marvell adds Dr. Reynolds of Norwich, but it appears from the journals that he did not attend at all during this session.

entered, took his seat on the throne, and desired the lords to proceed, as if he were not present, for he came only to renew a custom which his immediate predecessors had allowed to fall into desuetude, that of attending at their debates.* James, who saw the motive of his brother, was stimulated to still more active exertions; and, when the third reading was carried against him by a majority of two, entered his protest on the journals, in which he was followed by thirteen spiritual and fifteen temporal peers. Buckingham triumphed, and yet he gained nothing by the victory. He served a fickle and uncertain master, who changed his resolves according to the impulse of the moment. Charles had entertained with pleasure the project of divorce, as long as its accomplishment appeared distant; but, when the effort was to be made, his sense of justice, perhaps his good nature, assumed the ascendancy, and he refused to avail himself of the benefit to the prejudice of an unprotected and unoffending female. The precedent, however, has not been lost to posterity; and the permission to marry again, which was in this instance granted to lord Roos, forms the authority for the similar permission which has since been regularly inserted in the bills of divorce.† March 28.

3. There still remained the great object for which the parliament had been permitted to meet. Charles, in his speech at the opening of the session, had assured both houses that the rumours respecting the misapplication of the public monies during the late war were entirely groundless; and that no part of the parliamentary grants had been diverted from its original destination, but that in addition considerable sums, taken partly from his standing revenue, and partly raised on his credit, had been devoted to the same purpose. He therefore requested them to consider the A supply voted.

* L. Journ. xii. 318. Evelyn, Diary, ii. 320. The king had previously consulted Sir Robert Cotton, who replied that, it was the custom for the sovereign to be present in parliament till the reign of Henry VIII., that of Henry's attendance no proof could be found, whence it was probable that he had been induced to absent himself by the policy of Wolsey; that Henry's son Edward was prevented by his youth, his daughters, Mary and Elizabeth, by their sex; and that this disuse during four successive reigns was "the ill occasion of the contrary opinion and practice." It was therefore his opinion that the king had a right to be present in all consultations of state, and discussions of private plaint, "not only to advise and hear, but to determine also." Whether this right extended to capital cases, he had his doubts; that it did to criminal cases, not of blood, was certain. From his answer in manuscript in the collection of Thomas Lloyd, Esq.

† L. Journals, xii. 300. 6. 11. 28, 29. Life of James, i. 438, 9. Macpher. i. 48. 53. Burnet, i. 452—5. Marvell, i. 112. 412. From this period Charles generally attended the house. It proved some restraint on his opponents, and furnished him with the means of whiling away his time. "It was," he said, "as good as going to a play." Marvell, 419.

prejudice arising to the national interests from the pressure of an enormous debt, and to supply him with the means of satisfying his creditors. On this occasion he did not plead in vain. His assent to the act against conventicles was the price which he paid; and in return he obtained an additional duty on foreign wines and vinegar for eight years, and an act to advance the sale of fee-farm rents belonging to the crown. It was calculated that the first could furnish the king with 50,000*l.*, the other with a much larger sum.*

April 11.

Visit of the duchess of Orleans.

We may now resume the secret negotiation. It had been arranged that, while Louis with his queen made a progress through the territory lately ceded to him by Spain, the duchess of Orleans should pay a short visit to her brother Charles at Dover. It was hoped by the French king that she could induce him to depart from his intention of postponing the war against the States, till he had made the announcement of his conversion; her real object was to procure his permission to separate from her husband, and fix her residence in England. Charles received her affectionately, and laboured to gratify her with presents and entertainments; but on both points he remained inflexible; the French ambassador reluctantly consented to subscribe the treaty as it had been drawn by the English commissioners, and Henrietta, with a heavy heart, returned to her state of splendid misery in the court of France.†

May 17.

May 23.

Contents of the secret treaty.

Of the treaty thus at length concluded, though much was afterwards said, little was certainly known. All the parties concerned, both the sovereigns and the negotiators, observed an impenetrable secrecy. What became of the copy transmitted to France is unknown: its counterpart was confided to the custody of Sir Thomas Clifford, and is still in the keeping of his descendant, the lord Clifford of Chudleigh. The principal articles were: 1. That the king of England should publicly profess himself a catholic at such time as should appear to

* L. Journals, xii. 349. I may here notice that though the bankers paid only six per cent. interest on deposits in their hands, they now required from the king ten per cent. on the loans advanced to him instead of eight. At the same time the States general paid only two and a half per cent. Temple, ii. 33, 4.

† Life of James, i. 448. Macpher. i. 54. Louis was prepared to make every sacrifice to engage Charles in his "grande affaire," the war against the States. When Colbert made financial objections to the yearly payment of three millions for the grande affaire, particularly as that affair might last for some years, and drew a considerable quantity of specie out of the realm, he answered on May 2, "Je sais que vos raisons sont bonnes; je les connais pour telles. J'ai mandé qu'il falloit combattre jusqu'à la fin; mais, en pis-aller, ne pas manquer la grande affaire." OEuvres, v. 466.

him most expedient, and subsequently to that profession, should join with Louis in a war against the Dutch republic at such time as the most Christian king should judge proper: 2. That, to enable the king of England to suppress any insurrection which might be occasioned by his conversion, the king of France should grant him an aid of two millions of livres, by two payments, at the expiration of three months, and six months after the ratification of the treaty, and should also assist him with an armed force of six thousand men, if the service of such a force should be thought necessary: 3. That Louis should observe inviolably the treaty of Aix-la-Chapelle, and Charles be allowed to maintain that treaty in conformity with the conditions of the triple alliance: 4. That if, eventually, any new rights on the Spanish monarchy should accrue to the king of France, the king of England should aid him with all his power in the acquisition of those rights: 5. That both princes should make war on the united provinces, and that neither should conclude peace or truce with them without the advice and consent of his ally: 6. That the king of France should take on himself the whole charge of the war by land, receiving from England an auxiliary force of six thousand men: 7. That by sea Charles should furnish fifty, Louis thirty, men of war; that the combined fleet should be placed under the command of the duke of York; and that, to enable the king of England to support the charge of the naval armament, he should receive every year of the war the sum of three millions of livres from the king of France: 8. That out of the conquests which might be made during the war, his Britannic majesty should be satisfied with Walcheren, Sluys, and the island of Cadsand; and that, in separate articles, provision should be made for the interests of the prince of Orange, so that he might find his advantage in the war: 9. And that, to unite more closely the interests and affections of the subjects of both crowns, the treaty of commerce already commenced should be speedily concluded.*

* See note [C]. It is plain from comparing the treaty itself with the account of it in the Life of James, that that prince, or the compiler of the life, was but ill acquainted with the true history of these transactions. He states erroneously that the treaty was concluded and signed, and some of the money paid, in the beginning of the year, and that Henrietta succeeded in persuading the king to waive his right, and to commence the war against the Dutch. It is remarkable that James left London with Charles for Dover, but on the road was sent back to take care of the metropolis, under the pretence that some disturbance might be caused by the shutting up of conventicles. He reached Dover three days later, and seems to have suspected that Charles wished him out of the way. James, i. 448. Macp. i. 54.

From Dover, the king repaired to London, his sister to the palace of St. Cloud; and within a fortnight from the time of their parting the fair and fascinating Henrietta, at the age of twenty-six, was, after a few hours' suffering, numbered with the dead.

Death of the duchess.
June 5.
June 20.

The report that, to punish the infidelity of her husband, she had indulged in similar infidelities, was solemnly contradicted by her in her last moments, and the suspicion that she had been poisoned by his order, with a cup of succory water, received no support from the appearance of the body when it was opened after death. Henrietta left a favourite maid, Mademoiselle de Querouaille. Whether it was through his recollection of her beauty, or through regard for his departed sister, Charles, after some time, invited her to England, and appointed her of the bedchamber to the queen. In a short time she became one of the royal mistresses.*

Nov. 1671.
Oct. 10.

It was thought dangerous to confide the secret of the late treaty to a man so unstable in his counsels, so reckless in his resentments, as Buckingham; yet it could not be carried into execution without his aid, and that of his friends and colleagues, Ashley and Lauderdale. The expedient which was adopted does credit to the ingenuity of the two monarchs. The marshal de Bellefonds was sent to England to condole with Charles on the death of his sister, and Buckingham was despatched to France to return the compliment to Louis. The duke was received with distinguished honour: the king consulted him on his intended war against the States, and held out to him the prospect of the command of the auxiliary force, if he could persuade his sovereign to join as a party in the campaign. This was a bait which the vanity of Buckingham could not refuse. On his return he urged the subject on the consideration of the king and of his colleagues; he obtained permission to open a negotiation with the French ambassador; he amused the two monarchs by complaining of the apathy or infidelity of Arlington and Colbert, who had been instructed to raise ob-

A second treaty.
1670.
June 30.
Aug. 1.
Sep. 13.
Nov. 19.

* For the first report, see Temple, ii. 125; for the second; James, i. 451. Montague, the ambassador, says in his letter to Charles of July 15, "I asked her then if she believed herself poisoned: her confessor that was by, understood that word, and told her, Madam, you must accuse nobody, but offer up your death to God as a sacrifice. So she would never answer me that question, though I asked several times, but would only shrink up her shoulders." See a letter of condolence from Louis to Charles in the Appendix, note [D.] Evelyn (ii. 332.), says, "I saw that famous beauty, but in my opinion of a childish, simple, and baby face, Mademoiselle Quérouaille." See also, 349.

jections, that they might irritate his impatience, and entangle him more deeply in the intrigue; and, at length, the dupe had the satisfaction of concluding a treaty, of which he vainly deemed himself the author, but which in reality was a mere copy of the former, with the sole omission of the article respecting religion.* 1671. Jan. 23.

To this farce was added another. When the first instalment became due, Louis inquired of his good brother, whether he was yet prepared to make the declaration of his catholicity. Charles replied, that he thought it advisable previously to consult the pope, and to obtain such conditions as might render the change less objectionable to his people. This answer was approved, and, in consequence, a vigorous attempt was made to induce him to join in the war first, and publish his conversion afterwards. But the king was inflexible, and to a second requisition replied, that he could discover no person fit to be trusted with so delicate a negotiation. Louis offered the bishop of Laon, whose services were accepted; but, in a few days, it occurred to Charles that the reigning pontiff was old and infirm, and that it would be more prudent to wait till the accession of his successor: next he determined to employ an Englishman, and spent some time before he named the president of the English college at Douai; then he contrived to obtain a delay of three months, under pretence of framing and amending the instructions to be given to this envoy; and at last honestly declared that existing circumstances compelled him to postpone the execution of his design to some more favourable opportunity. A year later Louis returned to the same subject, and Charles objected religious scruples, which made him desirous of consulting some celebrated theologian, but a theologian also skilled in chemistry, that the subject of their conversations might be supposed to be his favourite science. Soon afterwards he determined to make the celebration of mass in English, and the administration of the sacrament under both forms the indispensable conditions of his conversion. But Louis was then satisfied: he had obtained his purpose of drawing the king into the war, and therefore ceased to call for a declaration, which must have rendered him a useless and burthensome ally.† Evasions by Charles. 1670. Sep. 18. Oct. 13. Nov. 7. 1671. Feb. 15. 1672. March 11. June 7.

* Dalrymple, ii. 68—77. OEuvres de Louis, v. 471, 4.
† Dalrymple, ii. 62—5. 83, 4.

With the hope of procuring another supply, Charles had summoned the parliament in autumn; and the lord-keeper in his name informed the houses of the several treaties which had been made for the encouragement and protection of commerce, directed their attention to the naval and military preparations of France and Holland; and announced the king's determination to fit out a fleet of fifty sail, to protect the British coasts from such insults as they had suffered in the year 1667. But for this money would be requisite. The last grant had enabled him to pay the interest, and extinguish a portion of the debt. But a considerable part was still unredeemed; and the best means of sustaining the fame and interest of the nation was to give him at once a speedy and plentiful supply. The ministers had been careful to secure a majority in the commons. Charges of prodigality were made, and hints of popery and arbitrary power were thrown out in vain; and the sum of two millions and a half to be raised from different sources, was cheerfully voted. During the debate, a member suggested a tax on the frequenters of the theatre; and when it was said that the theatre contributed to his majesty's pleasure, sir John Coventry sarcastically inquired, whether "his majesty's pleasure lay among the men or the women players." The expression was bitterly resented at court: the gallants resolved to punish the insult offered to their sovereign; and the duke of Monmouth committed the task of revenge to Sandys, his lieutenant, and O'Brian, the son of lord Inchiquin. These, taking with them thirteen of their troop, surprised Coventry in the Haymarket, as he was repairing to his lodgings, in the evening after the house had adjourned during the Christmas holidays. They beat him, threw him on the ground, and made a deep incision on his nose with a pen-knife. This outrage, perpetrated with the connivance of the king, and against the remonstrances of the duke of York, created feelings of discontent in the house. It was resolved the first thing after the adjournment not to proceed with the public business till reparation had been made to the commons of England for the injury inflicted on one of their members; an act was passed, ordering the offenders to surrender themselves to justice under the penalty of banishment without the possibility of pardon, and the maiming or disfiguring of the person was made, for the first time, felony without benefit of clergy. Charles dared not interfere for the protection of his champions; and the commons, appeased by his forbearance, passed the money bills through their several stages.*

Meeting of parliament. Oct. 24.

Assault on Coventry.

Dec. 21.

1671. Jan. 9.

* St. 22, 23. Car. ii. c. 1. Marvell, i. 413. Macpher. i. 57. Ralph, i.

This benefit was, however, purchased with the usual sacrifice to the religious prepossessions of the two houses. Complaints had been made of the growth of popery; that jesuits and priests had become more numerous; that English catholics frequented the chapels of foreign ambassadors; that mass was often celebrated in private houses: that few processes were served out of the exchequer against convicted recusants; that convents and schools had been established for papists; and that two persons openly officiated as popish archbishops in Ireland. Charles, though he was then bound by treaty to profess himself a catholic, published a proclamation, such as was desired by the houses, in which he declared that, "as he had always adhered, against all temptations whatsoever, to the true religion established, so he would still employ his utmost care and zeal in its maintenance and defence." But proclamations had often failed of effect; the more orthodox demanded an act of parliament; and a bill for that purpose was sent to the house of lords, where it was read twice, and committed. A dispute respecting privilege prevented its farther progress.*

Proceedings against the catholics. March 10. March 11. March 24.

In a bill imposing new duties on imports, the lords, at the petition of the merchants, had altered some of the rates. The commons acknowledged that the upper house had the power to approve or reject, but denied that it had the power to make alterations. The lords called for some proof of this assertion. Where was the record? When had they forfeited the right? It might as well be said that they had not the power to reject; for, if they could not alter a part, how could they annul the whole? Had they confined themselves to this reasoning, they would probably have embarrassed their opponents; for the attorney-general replied that to give any reason would be to weaken a privilege which the commons had possessed in all ages. But the lords appealed also to precedents: the application of these precedents was

Dispute between the houses. April 17.

193. Burnet, i. 469. Lord Dartmouth informs us that Coventry after this was much engaged with the whigs, and professed himself a zealous protestant, yet died a catholic, leaving the bulk of his estate to the college of the jesuits at St. Omer. Ibid. note. Monmouth, the real contriver of the outrage, escaped, and in a few weeks committed a still more atrocious offence. On the night of Feb. 28th, in company with the young duke of Albermarle and eight others in a drunken frolic, he attacked the watch, and killed the the beadle of the ward, though the poor man on his knees begged for his life. Charles, to save his son, granted a pardon to all the murderers; but both the crime and the pardon were severely censured by the people. See Marvell, i. 195. 416.

* Com. Journ. Feb. 21; March, 1. 10, 11. L. Journals, xii. 451. 468.

April 22. disputed by the managers; the controversy became daily more intricate; the obstinacy of the parties augmented; and Charles, though by it he lost a valuable bill, was compelled to put an end to the session. The question had been raised by the imprudence of Buckingham; and the result did not tend to raise him in the estimation of his sovereign.*

Before we proceed, the reader may direct his attention to a few miscellaneous events, which occurred about this time.

Death of the queen dowager. 1659. Aug. 10. 1. In the month of August, 1559, died in the castle of Colombe, near Paris, the queen-mother, Henrietta Maria de Bourbon. It has been the custom to attribute a great portion of the misfortunes of Charles I. to the control which this beautiful princess possessed over the heart, and through the heart, over the judgment of her husband. But there is reason to believe that her influence was considerably exaggerated by those, whose policy it was to alienate the people from the sovereign by representing him as guided by the counsels of a popish wife. On most questions she coincided in opinion with secretary Nicholas; nor will it be rash to conclude that the unfortunate monarch would have fared better, had he sometimes followed their advice. After the death of Charles, she was privately married to Jermyn, earl of St Albans, and lived to see the restoration of her son to the crown of his father. Her last years were chiefly spent in acts of charity and exercises of devotion.†

Of the duke Albemarle. 1670. Jan. 4. 2. At the commencement of the next year died another celebrated personage, Monk, duke of Albemarle. By Charles his services were always acknowledged, and amply rewarded: but the royalists regretted that the merit of restoring the king should have fallen to an apostate from their cause; and their dislike of the man indulged itself in throwing ridicule and censure on his manners and conduct. It must be owned that there was nothing very brilliant in his character: he was not made to shine in a gay and voluptuous court, nor did he seek to support his rank by a splendid and expensive establishment. But the king always treated him with respect, employed him in posts of difficulty and danger, and honoured his remains with a public funeral in Henry the Seventh's chapel. Within three weeks after his death, the duchess, (she had been successively his washer-

Jan. 23.

* L. Journals, xii. 449. 494. 502. 510. Macpherson, i. 58, with Dalrymple, ii. 86. Marvell, i. 471. Parker, 119. Compare.

† See "The Life and Death of Henrietta," etc. printed for Dorman Newman, 1685, reprinted by G. Smeeton, 1820. Life of James, i. 446.

woman, his mistress, and his wife), followed him to the grave.*

3. The duke of Ormond, on the 6th of December, was returning in the dark from a dinner given by the city to the young prince of Orange, when, in St. James's-street, his footmen, who walked on each side, were suddenly stopped; and two men forcibly drew the duke out of his carriage, mounted him on horseback behind a third, and, that he might not escape, fastened him with a leathern belt to the rider. The chief of the banditti hastened beforehand to Tyburn, that he might make preparations for hanging the captive; but, on the road to Knightsbridge, the duke, leaning on one side, and raising with his foot the foot of his companion on the other, contrived to drag him from the saddle. Both fell to the ground: footsteps were heard to approach; and the assassin, having loosened the belt, discharged a brace of pistols at the duke, and instantly fled. The darkness proved favourable to both. The duke escaped with no other injury than what he had suffered in the fall and struggle: his adversary eluded with ease the search of his pursuers. Yet the cause and the perpetrators of the outrage remained an impenetrable mystery. Though a committee of the house of lords instituted an inquiry into the case; though the king promised a reward of 1000*l.* to those who should discover the offenders, though he offered a pardon with the same sum of money to any of the accomplices who should inform against the guilty; no clew could be obtained to lead to their apprehension: only it become known that the chief of the gang was Blood of Sarney, in the county of Meath, the author of a libel called "Mene Tekel," who had been outlawed for an attempt to surprise the castle of Dublin.

Narrow escape of Ormond. 1670. Dec. 6.

Soon afterwards a person, in the cassock of a clergyman, sought the acquaintance of Edwards the keeper of the regalia in the Tower, and proposed to him a marriage between his own nephew, and the old man's daughter. About seven in the morning of May 9th, the pretended clergyman, with two companions, called on Edwards, and requested to see the regalia. As soon as they entered the room, they

Attempt to steal the crown. 1671. May 9.

* The following portrait of Monk is drawn by the French traveller, Moncomis. Monk est petit et gros; mois il a la physionomie de l'esprit le plus solide, et de la conscience la plus tranquille du monde, et avec cela une froideure sans affectation, et sans orgueil ni dédain: il a enfin tout l'air d'un homme modéré et fort prudent; ses meubles, sa table, et le peu de gens qui le courtisent, marquent assez qu'il n'est pas ambitieux. Moncon. Journ. ii. 82.

threw a cloak over the keeper's head, and forced a gag into his mouth, promising to spare his life, if he remained quiet: but his struggles provoked them to knock him down, and wound him in the belly. The clergyman then put the crown under his cassock, one of his companions secreted the globe in his breeches, and the other having filed the sceptre, deposited the pieces in a bag. Accidentally the son of Edwards came by at the time; the alarm was given; the robbers ran; one of them fired at the first sentinel, who, though untouched, immediately fell; the second offered no resistance; and all three had nearly reached their horses at St. Catherine's-gate, when they were overtaken and secured. They were carried before sir Gilbert Talbot, but the clergyman, who was the leader, refused to answer. Charles himself, through curiosity, or at the instigation of others, attended, when the prisoner improved the opportunity to flatter and terrify the king. He said that his name was Blood; that he had seized the duke of Ormond, and would have hanged him at Tyburn: that he had even on one occasion undertaken to shoot the king himself at Battersea, but, the moment he took his aim, the awe of majesty unnerved him, and his piece dropped harmless to the ground. He was, however, but one of three hundred, who had sworn to revenge each other's blood. The king might act with him as he pleased. He might doom him to suffer—but it would be at the risk of his own life, and of the lives of his advisers—or he might show him mercy—and he would secure the gratitude and services of a company of fearless and faithful followers. If the unprecedented attempts of the ruffian excited surprise, the conduct of Charles was a mystery, which no one could understand. He not only forgave the offence offered to himself, but he solicited and obtained for Blood the pardon of Ormond, ordered him to remain as a gentleman at court, and gave him an estate of the yearly rent of 500*l.* in Ireland, probably as a compensation for that which he had previously forfeited.*

Death of the duchess of York.

5. For a long time the health of the duchess of York had visibly declined, and she died at St. James's in her thirty-fourth year, having been the mother of eight children, of whom only two daugh-

* See for both facts sir Gilbert Talbot's Narrative. Lansdowne, MSS. 1659, p. 1—15. Evelyn, who dined in company with Blood at sir Thomas Clifford's, describes him thus: "The man had not only a daring, but a villanous unmerciful countenance, but very well spoken, and dangerously insinuating." Evelyn, Diary, ii. 341. Blood's companions were Hunt, his son-in-law, and Parret, who had been lieutenant to major-general Harrison under the commonwealth. Charles told Ormond that he had certain reasons for asking him to pardon Blood. He replied that his majesty's command was a sufficient reason. Talbot, ibid.

ters survived her, Mary and Anne, both afterwards queens of England. She had been educated in the regular performance of all those devotional exercises which were practised in the church of England before the civil war. She attended at the canonical hours of prayer; she publicly received the sacrament in the royal chapel on every holiday, and once in every month; and she always prepared herself for that rite by auricular confession and the absolution of the minister. After the birth of her last child, she became still more religious, spending much of her time in her private oratory, and in conversation with divines; and for several months before her death it was observed that she had ceased to receive the sacrament, and began to speak with tenderness of the alleged errors of the church of Rome. Suspicion was excited; and her brother, lord Cornbury, in person, her father, the exiled earl of Clarendon, by letter, endeavoured to confirm her in the profession of the established doctrines. But she had already been reconciled in August to the church of Rome, and in her last illness received the sacrament from the hands of Hunt, a Franciscan friar. Blandford, bishop of Oxford, her protestant confessor, visited her on her death-bed; but the duke informed him of her change of religion, and he contented himself with speaking to her a few words of consolation and advice. Her conversion was known only to five persons; but the secret gradually transpired, and its publication served to confirm the suspicion that the duke himself was also a catholic. He attended, indeed, occasionally on the king during the service in the chapel, but two years had elapsed since he received the sacrament.*

1671. May 31.

1670. Aug.

Though the second of the secret treaties with France had been concluded in January, the ratifications were not exchanged till June, at which time it is probable that Charles had consented to engage in the projected war against the States, and to postpone to an indefinite period the announcement of his conversion. Louis had already sent presents to the commissioners who signed the treaty at Dover; he now sent others to Buckingham, Ashley, and Lauderdale who had signed the second treaty in June. In this there was nothing unusual; but, to bind the leading ministers more strongly to his interests, he granted a pension of ten thousand livres to lady Shrewsbury, the mistress of Buckingham; and, when a similar pension was declined by Ar-

The cabal.

* Life of James, i. 452. Burnet, i. 537. Evelyn, ii. 380. Travels of Cosmo, 456.

lington, bestowed a magnificent present on his wife.* The only privy counsellors, entrusted with the secret of the king's connexion with Louis, were Arlington, Clifford, Buckingham, Ashley, and Lauderdale: they formed the cabinet or cabal, in which, according to the practice introduced by Clarendon, every measure was debated and determined before it was submitted, for the sake of form, to the consideration of the council, and with them he consulted respecting the preparations for the war. 1. Arlington, originally sir Henry Bennet, had signalized himself in the civil war, during which he received a sabre wound in the face. From Madrid, where he resided as ambassador from the king, he was recalled and introduced into the ministry by the enemies of Clarendon. To strength of mind or brilliancy of parts, he had few pretensions; but he was an easy and pleasing speaker, was well acquainted with the routine of business, and covered the deepest cunning under the most insinuating address. As the best bred man in the English court, he acquired the favour of the king and of the foreign noblemen whom business or pleasure brought to the capital; and Charles, as a proof of his esteem, married the lord Harry, afterwards the duke of Grafton, his son by Castlemain, now created duchess of Cleveland, to the daughter of Arlington, a most beautiful child only five years old. In the cabinet, the prudence of this minister shrunk from the responsibility of being the foremost to suggest or to defend measures of doubtful tendency; and his timidity afterwards proved his safeguard. It was taken for moderation, and served to mitigate the displeasure and resentment of the people. He retained to the last the friendship of his sovereign.†

Arlington.

1672. Aug. 1.

2. The influence which Clifford, by his industry and eloquence, had acquired in the house of commons, had originally recommended him to the notice of the ministers; and under the patronage of Arlington, he had rapidly advanced in preferment. He now held the offices of privy counsellor, treasurer of the household, and commissioner of the treasury. He was brave, generous, and ambitious; constant in his friendships, and open in his resentments; a

Clifford.

* Dalrymple, ii. 81, 82. Buckingham, to enhance the merit of his services, asserted that the Spaniards had offered him 200,000*l*. Colbert observes, "Je crois qu'il n'en est rien; mais je crains que l'appétit de ces nouveax commissaires (Buckingham, Ashley, and Lauderdale) ne soit grand." Ibid. 81.—By a singular coincidence, the initials of the names of these ministers form the word "cabal."

† Life of James, i. 398. Clarend. Pap. iii. Sup. lxxxi. Evelyn, ii. 372. 432. Macph. i. 48. Burnet, i. 170. Clarendon's Life, 181. 196. Works of Sheffield, duke of Buck, ii. 84.

minister with clean hands in a corrupt court, and endued with a mind capable of forming, and a heart ready to execute, the boldest and most hazardous projects. The king soon learned to prefer his services before those of his more cautious patron.*

Buckingham.

3. With Buckingham, his levity and immorality, his ambition and extravagance, the reader is already acquainted. Even when he was considered the prime minister, pleasure formed his favourite pursuit. He turned the night into day, and indulged in every sensual gratification "which nature could desire or wit invent." Charles, much as he was amused with the follies of the duke, frequently treated him with contempt: his princely fortune (a landed estate of 20,000*l.*) insensibly disappeared; his mind became enfeebled with his body; and he lingered out the last years of his life in penury and disgrace.†

Lauderdale.

4. Lauderdale made it the great object of his policy, to advance his own fortune by securing the royal favour. He was ungainly in his appearance, and boisterous in his manner; but his experience in business, his ready acquiescence in every wish of the sovereign, and the boldness with which he ridiculed the apprehensions and predictions of his colleagues, endeared him to the monarch. It was not in Lauderdale's disposition to allow principles, either political or religious, to interfere with his interest. A sincere friend to the covenant, he made it the constant subject of ridicule; a violent enemy to the catholics, he lent his support to every measure in their favour; and with a strong predilection towards a limited and constitutional monarchy, he fearlessly executed in his native country the most arbitrary determinations of the government. For these reasons he had numerous enemies among the dissenters, and the men of liberal principles: and on another account, he had incurred the hatred of all the cavaliers both English and Scots. He was accused of having been a principal in the sale of Charles I. to the parliament, and of having received a considerable portion of the money. But the efforts of his countrymen to bring him into disgrace recoiled on their own heads. The king remained his friend: Middleton, the chief of his enemies, was removed from the government of Scotland, and that high office, after a decent interval, was bestowed on Lauderdale himself. But his triumph served only to multiply his enemies. The English cavaliers took up the cause of their

* Evelyn, ii. 386, 7. Pepys, Correspondence, v. 79. Macph. i. 48.

† Burnet, i. 171. Macph. i. 467. Evelyn, ii. 355. Clarendon, i. 369. North's Lives, i. 97.

northern brethren, and waited with impatience for the favourable opportunity of gratifying their vengeance by accomplishing the downfal of the Scottish favourite.*

Ashley. 5. Sir Anthony Ashley Cooper formerly possessed the ear of Cromwell; at the restoration, through the influence of Monk, whose friendship he had gained, and of Southampton, whose niece he had married, he was appointed chancellor of the exchequer, and soon afterwards called to the house of lords by the title of baron Ashley. When Charles said of him that he was "the weakest and wickedest man of the age," the king consulted his anger more than his judgment. Ashley possessed talents of the highest order, but made them subservient to his passions and interest. As long as the royal cause promised to be successful, he was careful to suggest the most arbitrary measures, and to support them at the expense of liberty and justice: but when the current turned, when the spirit of discontent, which animated the house of commons, led him to anticipate a failure, he divested himself of his employment at court, and, coming forward as the champion of popular right, "usurped a patriot's all-atoning name." But whether he served the king, or the king's opponents, he was still the same character, displaying in his conduct a singular fertility of invention, a reckless contempt of principle, and a readiness to sacrifice the rights of others in the pursuit of his object, whether it were the acquisition of power, or the gratification of revenge.†

Their religion. Of these five ministers, Lauderdale adhered to the Scottish covenant; Buckingham, with all his ridicule of bishops and sermons, called himself an orthodox churchman; and Ashley was supposed to belong to no church whatever. Of Arlington and Clifford, it has often been said that they were catholics. But hitherto they had certainly professed themselves protestants, though perhaps, like many others, for no better reason than because protestantism was in fashion. For, during the revolutions of the last twenty years, the immorality of the royalists, the cant of the fanatics, and the successive prevalence of contrary doctrines in the pulpits, had, especially among the higher classes, unsettled religious opinion, and rendered men indifferent to

* Burnet, i. 174. Clarendon, 51. Miscel. Aul. 212. 234. Pepys, 154. In the Scottish parliament, it had been agreed that a certain number of delinquents should be incapacitated from holding office, not openly by the majority of votes, but secretly by way of ballot, to prevent family feuds between the excluders and the excluded. Among the names was that of Lauderdale. But Charles disapproved of the proceeding, and recalled Middleton. See the pleadings before the king in Miscel. Aul. ibid.

† Macph. 70. Dalrymple, ii. 15. Burnet, i. 164, 5. Clarendon, 26. 245.

particular forms of worship. It may, however, be that the knowledge of the duke's conversion, and of the king's sentiments, made impression on Arlington and Clifford. The latter certainly embraced the catholic faith before the close of the Dutch war: Arlington continued a protestant till his last sickness, when he was reconciled to the church of Rome.*

They shut up the exchequer.

These were the ministers, with whose assistance Charles determined to engage in the war against the States; a war from which he promised himself an abundant harvest of profit and glory, in the humiliation of a republic, the prosperity of which held out to his subjects the example of successful rebellion; in the superiority which the trade of the British merchants would derive from the ruin of their commercial rivals; and in the additional authority with which he would be himself invested at the head of a conquering army and navy. To obtain these results it was necessary to make the most gigantic efforts, and to provide pecuniary funds commensurate with these efforts. An ample supply had been already granted by parliament; to secure the stipulated subsidy from France a third treaty had been concluded with Louis;† and an additional resource was now discovered by the ingenuity of Ashley or Clifford.‡ The reader is aware that ever since the time of Cromwell the bankers and capitalists had been accustomed to advance money to the government, receiving in return assignations of some branch of the public revenue till both capital and interest should be extinguished. Hitherto the exchequer had maintained its credit by the punctuality with which it discharged these obligations: but now it was proposed, 1. to suspend all payments to the public creditors for the space of twelve months, which would permit the king to devote the whole of his income to the purposes of the war; and 2. to add the interest now due to the capital, and to allow six per cent. interest on this new stock,

* In May 1671, Evelyn from Clifford's conversation, "suspected him a little of warping to Rome." (Evelyn, ii. 341. 382.) In May 1673, James calls him "a new convert." Life of James, i. 484.

† It is plain that a third treaty was concluded in the beginning of 1672. Dalrymple notices it as merely a Latin copy of the second treaty, signed on Feb. 5th; but that it was different in some points, appears from this, that the command of the English auxiliaries was given by it to the duke of Monmouth (Dalrym. ii. 88). The services of Montague were so pleasing to Louis on this occasion, that he solicited Charles to send to the ambassador the order of the garter, and allow him (Louis) the pleasure of presenting it to Montague. OEuv. de Louis, v. 493. March 21, 1672.

‡ It seems doubtful with whom this measure originated. Evelyn assigns it to sir Thomas Clifford (Diary, ii. 361. 385), probably because he was chosen to recommend it to the privy council. In Arlington's letters it is attributed to lord Ashley, and James says that "it was he (Ashley) who advised the shutting up the exchequer." Life, i. 488. See also Burnet, i. 582.

which would afford a reasonable compensation to the holders for any inconvenience which they might suffer from the delay. Clifford, as one of the commissioners of the treasury, carried this project from the cabinet to the privy council; he endeavoured to defend it on the ground of state necessity; and requested that no member would raise objections, unless he were prepared to offer some other expedient equally productive, and equally expeditious.* Clifford was supported by Ashley; the council gave its consent; and the suspension was announced by proclamation to the public. It stated that the safety of the kingdom rendered it necessary to forbid the payment of any money out of the exchequer in virtue of existing warrants and securities, but promised that the creditors should receive "interest at the rate of six per cent.; that no person whatsoever should be defrauded of any thing that was justly due, and that the restraint should not continue any longer than one year."† By this iniquitous act, a sum of about 1,300,000*l.* was placed at the disposal of the ministers: but the benefit was dearly purchased with the loss of popularity and reputation. Many of the bankers who had placed their money in the exchequer failed; a general shock was given to the commercial credit of the country, and numbers of annuitants, widows, and orphans were reduced to a state of the lowest distress.‡

1672. Jan. 2.

In this attempt the five ministers could not fail of success: in the next they met with a signal defeat. It was known that in the month of March a fleet of Dutch merchantmen, laden with the commerce of the Levant, would pass up the Channel; and a resolution was taken to capture them as lawful prizes, without any previous declaration of war. To the objection that such conduct would resemble the rapacity of the pirate and the highwayman, it was replied, that arrogance and avarice had led the Hollanders to trample on all the received usages of civilized nations, and that they could not reasonably complain, if they received such treatment as they had already inflicted upon others.§ The States, however, were not to be taken unawares. The immense preparations of Louis had opened their eyes to the danger which menaced them; and the recal of Temple, who had negotiated the triple league; and the mission, in his place, of Downing, a man so hateful in Holland that he fled back to England to escape the

Fail in an attack on the Dutch fleet.

Dec. 4.

* Temple, ii. 181.
† Declaration. In the Savoy, by the king's printers.
‡ L. Journ. xii. 526. North, Examen. 37. Parker, 121. Marvell, ii. 475.
§ See the question discussed in Parker, 124.

vengeance of the mob,* taught them to suspect that Charles was the secret ally of the French king. Under this impression, they were careful to furnish protection to their merchantmen, and to acquaint their naval commanders with the possibility of a sudden rupture between the two nations. The task of intercepting the Dutch fleet was entrusted by the English ministers to sir Robert Holmes, who received orders to take under his command all the ships which he should find at Portsmouth, or should meet at sea. Holmes, at the back of the Isle of Wight, saw the squadron of sir Edward Spragge, which had recently destroyed the Algerine navy in the Mediterranean; but, unwilling that another should obtain any share in the glory and profit of the enterprise, suffered him to pass by. 1672. Feb. 6. March 3.

The next morning he descried his object, sixty sail of merchantmen, many of them well armed, under convoy of seven men of war. Van Nesse, the Dutch admiral, saw the design of Holmes, and so admirably did he dispose his force, so gallantly was he seconded by the officers and men under his command, that he completely baffled all the efforts of his enterprising opponent. During the night the English admiral received a reinforcement; in the morning he renewed the action; and at last succeeded in cutting off one man of war and four merchantmen, two of which proved of considerable value. The failure was certainly owing to the presumption and ambition of Holmes. To Charles it became a subject of bitter disappointment, both as it diminished the pecuniary resources on which he had reckoned, and as it covered him and his advisers with disgrace. For both his subjects and foreigners united in condemning the attempt, which they would probably have applauded, had it been crowned with success.†

And grant indulgence to dissenters.

During the last war with Holland the counsels of government had been distracted, and the most serious alarm had been repeatedly excited, by the close and dangerous correspondence between the foreign enemy and the malcontents within the kingdom. Since that period the number of the latter had been multiplied by the intolerant enactments against the dissenters; and, to apply a remedy to the evil, the king's advisers determined

* Downing was sent to the Tower for his cowardice. Temple, ii. 180.

† James, i. 456. Macph. Pap. i. 58. Marvell, ii. 478. Heath, 581, 2. Notwithstanding this attack, both parties faithfully observed the provision in the treaty of Breda, that, in case of a rupture, the ships and merchandize belonging to the subjects of either party, and existing in the ports and territory of the other, should not be molested for six months. Ea naves, merces, et bona quævis motabilia quæ in portibus et ditione partis adversæ hinc inde hærere et extare deprehendentur. Dumont, vii. 47.

March 15. to carry into execution his favourite project of indulgence to tender consciences. With this view, a declaration was published, stating that the experience of twelve years had proved the inefficacy of coercive measures in matters of religion; that the king found himself "obliged to make use of that supreme power in ecclesiastical matters which was not only inherent in him, but had been declared and recognized to be so by several statutes and acts of parliament;" that it was his intention and resolution to maintain the church of England in all her rights, possessions, doctrine, and government; that it was moreover his will and pleasure that "all manner of penal laws in matters ecclesiastical, against whatsoever sort of non-conformists or recusants, should be from that day suspended;" and that to take away all pretence for illegal or seditious conventicles, he would license a sufficient number of places and teachers for the exercise of religion among the dissenters, which places and teachers so licensed should be under the protection of the civil magistrate; but that this benefit of public worship should not be extended to the catholics, who, if they sought to avoid molestation, must confine their religious assemblies to private houses.*

Which is accepted by them. This declaration, like the former, had been moved in the council by Clifford, and seconded by Ashley: the provision respecting the catholics was added to satisfy the scruples of the lord-keeper. By the public it was received with expressions of applause or vituperation, as men were swayed by interest or religion. Its opponents complained that it tolerated popery, and consequently idolatry; that, by affording encouragement to schism, and the opportunity of meeting to the factious, it must tend to weaken the stability both of the church and of the throne; and that it claimed for the king a power subversive of a free constitution,—the power of dispensing with the laws. In reply, it was contended by the advocates of indulgence, that religious opinion was beyond the control of government, and that no people could be powerful abroad, as long as they were divided by dissension at home; that the public exercise of their worship was still forbidden to the catholics; that the indulgence, by removing religious discontent, was calculated to strengthen both the church and the throne; that no claim was set forth by the king, which did not by ancient usage belong to the crown; and that the power of dispensing with the law in matters ecclesiastical, necessarily grew out of the ecclesiastical supremacy, and in civil matters, out of the very

* Parl. Hist. iv. 515.

nature of government; for no form of government could be perfect, in which the executive power did not possess the means of providing for the exigencies of the state during the intervals when the legislative power was not assembled. Thus to dispense with the penal laws respecting religion had been the practice of every sovereign since the reformation; and the king himself, during the late war with Holland, had suspended the trade and navigation acts without exciting contradiction or murmur. The result showed the power of interest over principle. The dissenters, who had been in the habit of confining within the narrowest limits the pretensions of the crown, gratefully accepted the indulgence, and presented by their ministers an address of thanks to the king; while the ardent friends of orthodoxy began to dispute their own doctrine of passive obedience, and to think that the prerogative ought to be fettered in those cases, in which it might operate in opposition to their own claims and prepossessions.*

Declaration of war.

In a few days appeared the English and French declarations of war. Louis was content to assert, that after the many insults which he had suffered from the arrogance of the States, to dissemble his resentment would be to detract from his glory. Charles condescended to enumerate the several causes of his displeasure: the unwillingness of the States to regulate with him according to treaty the commerce of the two nations in the East Indies; their perfidious detention of the English traders in Surinam; their refusal to strike to his flag in the narrow seas;† and the repeated insults which had been offered to him personally by injurious medals and defamatory publications. It was his duty to maintain the honour of his crown, to preserve the trade and commerce of the nation, and to protect from oppression the persons of his subjects. But, if this consideration compelled him to appeal to arms, it was still his intention to "maintain the true intent and scope of the treaty of Aix-la-Chapelle, and in all alliances which he had made, or should make, in the progress of the war, to preserve the ends thereof inviolable, unless provoked to the contrary."‡

March 17.

* For these particulars and reasonings, see Parker, 251—8. Parl. Hist. iv. App. xli. xlii. Arlington to Gascoigu, 66. James, i. 465. It is often said, but certainly without authority, that the lord-keeper refused to put the seal to the declaration. Had this been the case, he would probably have been dismissed in March instead of November.

† The negotiations on this subject show that the king claimed as a right what the Hollanders would yield only as a compliment. Parker, 106—9.

‡ Parl. Hist. iv. 512. Dumont, vii. 163, 4. "Yet," says Marvell, "it is as clear as the sun that the French had by the treaty of Aix-la-Chapelle agreed to acquiesce in their former conquests in Flanders; and that the

In a few days, the king of Sweden, the second party to the triple alliance, acceded to the designs of Charles and Louis,
April 4. and, under the specious pretence of preserving the peace of Germany, bound himself by a secret treaty, to make war on any prince of the empire, who should undertake to aid the States in the approaching war between them and the king of France.*

Naval affairs. The Dutch were the first at sea; and De Ruyter, with seventy-five men of war, and a considerable number of fire-ships, stationed himself between Dover and Calais, to prevent the intended junction of the French and English fleets. The duke of York could muster no more
May 3. than forty sail at the Nore; but with these he contrived, under the cover of a fog, to pass unnoticed by the enemy, and, proceeding to St. Helens, awaited the arrival of the French squadron under D'Estrées. The com-
May 4. May 10. bined fleet now sailed in search of the enemy, whom they discovered lying before Ostend. But the pru-
May 19. dence of De Ruyter refused to engage even on equal terms. Availing himself of the shallows, he kept his opponents at bay, and baffled all their manœuvres with a skill which extorted their admiration. At last he reached Goree, and the duke returned to Southwold bay, that his ships might take in their full compliment of men and provisions.†

Battle of Southwold bay. May 27. In a few days, De Ruyter learned, from the captain of a collier, the situation and employment of the English fleet. He suddenly resolved to become the aggressor, sailed from Goree in the evening with his whole force, and would probably have surprised his

English, Swede, and Hollander, were reciprocally bound to be aiding against whomsoever should disturb that regulation." (Marvell, ii. 482.) This, though it has been repeated hundreds of times, is far from being an accurate exposition of the transaction. The real object of the triple alliance was to compel the crowns of France and Spain to make peace on the terms already offered by France, and to guarantee to Spain the provinces in the Netherlands which should remain to her after that peace—Tant pour aider à faire finir par leur intervention la guerre qui s'était alors allumée entre les deux couronnes, que pour garantir aussi le plus fortement et efficacement, que faire se pourroit, la paix.—The peace was accordingly made at Aix-la-Chapelle; and the kings of England and Sweden, and the States, signed the act of guarantee—promettent par ces présentes de garantir le dit traité—and promised if Louis were, under any pretext whatever, to invade any of the territories belonging to Spain,—aucun des royaumes, estats, pays, ou sujets du roi catholique,—to employ all their forces in resisting the aggression and obtaining reparation. See the act of guaranty in Dumont, vii. 107. In the treaty between Louis and Charles, the treaty of Aix-la-Chapelle was confirmed, and no infraction of it took place during the war.

* Dumont, vii. 169. Miscel. Aul. 68. 70.

† James, 457—91. Miscel. Aul. 69, 70.

enemies at anchor, had it not been for the sagacity of Cogolin, the commander of a French frigate. That officer, on account of his ignorance of the coast, had cast anchor during the night at a distance of some miles from Southwold bay. At the first dawn he descried two Dutch men of war of equal force, which immediately brought to, and stood from him, and, concluding from these motions that the main body could not be far distant, he discharged his guns in succession as a signal. James immediately ordered every ship to get under weigh, and take her station in the line: but the wind was easterly, and the tide to leeward, and not more than twenty sail could form to meet the enemy. The duke, with a part of the red squadron, opposed de Ruyter and the fleet from the Maese; the earl of Sandwich, with part of the blue, Van Ghent and the fleet from Amsterdam. D'Estrées received Banker with the ships from Zealand: but both stood under easy sail to the southward; and, as they never came to close action, suffered comparatively but little injury.* May 28.

Conduct of the duke.

Seldom has any battle in our naval annals been more stubbornly contested. The English had to struggle with a bold and experienced enemy, and against the most fearful disparity of force. Their ships were so intermingled among the multitude of their opponents, that they could afford little support to each other; still they fought with the most desperate courage, hoping to protract the action till they could be joined by the remainder of the fleet in the bay. About eleven o'clock, the duke's ship, the Prince, of one hundred guns, had lost above one-third of her men, and lay a motionless wreck on the water. Having ordered her to be towed out of danger, he passed through the window of the cabin into his shaloupe, rowed through the enemy's fire, and unfurled the royal standard in the St. Michael, of ninety guns.†

Death of the earl of Sandwich.

The earl of Sandwich, in the Royal James, repeatedly beat off the enemies, by whom he was surrounded; carried by boarding a seventy gun ship which lay athwart his hawse, and killed Van Ghent, the commander of the Amsterdam squadron: but, after an engagement of eight hours, the Royal James became unmanageable; of two fire ships which approached, one was sunk by her guns, the second grappled her on the larboard side; and in a few minutes that noble vessel was enveloped in

* James, i. 461—5.

† James, 465, 6. So afraid were the sailors of fire ships, that the duke expressly forbad the name to be mentioned during the action. If any man saw a fire ship approaching, he was ordered to communicate his suspicion in a whisper to the nearest officer, 465.

flames. The duke, from a distance to leeward, saw the blue flag towering above a dense column of smoke; and ordered the Dartmouth, and a number of boats, to hasten to the assistance of the crew. Between two and three hundred were saved; the rest, with their gallant commander, perished in the waves.*

Victory of the English.

During the afternoon, the other ships joined the fleet, and the combatants began to fight on a footing of equality. About five it was reported to the duke, that the St. Michael could with difficulty be kept afloat, on account of the injury which she had received in her hull; and, trusting again to his shaloupe, he transported his flag to the London. De Ruyter was the first to shrink from the conflict. He sailed about seven to overtake the Zealand squadron; and most of the English took the opportunity of joining d'Estrées to leeward, while the duke, with five-and-twenty sail, remained to the windward of the enemy. Thus terminated this bloody and obstinate engagement. While we give due praise to the conduct of the Dutch admiral, and to the bravery of his men, we must not forget that, with all the disadvantages of surprise, and wind and tide against them, the cool and determined courage of the English obtained the victory. They lost one, their opponents three ships of the line.†

Who pursue the Dutch. May 29.

In the morning, the two divisions of the English fleet joined, and it was determined to proceed to the Nore; but in a short time De Ruyter, who had sailed to the southward, re-appeared; and James ordered the line to be formed, and made the signal to bear down on the enemy. They immediately fled; a general chase was ordered, and twice the Dutch ships, disabled in the

* Ibid. 467, 8. He appears to have had a presentiment of his fate. When Evelyn (ii. 369.) took leave of him, the earl said, he should see him no more. "No," he added, "they will not let me live. *Had I lost a fleet I should have fared better.* But be it as it pleases God. I must do something, I know not what, to save my reputation." Evelyn tells us that Monk and Clifford were accustomed to describe the earl's caution as cowardice, and that the words in italics allude to his expedition to Bergen. May they not allude to the conduct of Monk, as if he had said: Had I, by excess of courage, lost a fleet, as Monk did, I should have fared better?—"He dined," says Sheffield, duke of Buckingham, "in Mr. Digby's ship the day before the battle, when no body dreamt of fighting, and showed a gloomy discontent, so contrary to his usual cheerful humour, that we even all took notice of it; but much more afterwards." Works, ii. 14.

† Ibid. 468—471. "The duke of York himself had the noblest share in this day's action: for when his ship was so maimed as to be made incapable of service, he made her lye by to refit, and went on board another that was hotly engaged, where he kept up his standard till she was disabled, and then left her for a third, in order to renew the fight, which lasted from break of day till sunset." Works of Sheffield, duke of Buckingham, who was present, ii. 15.

late action, were on the point of falling into the hands of the pursuers, and as often saved by the timely intervention of a fog. On the second day, the Dutch found a secure shelter within the Wierings; and the English fleet returned in triumph to the river.* May 30.

Conquests by the French.

By land, the storm, which had so long menaced the States, soon burst on their most distant frontier. Louis had placed himself at the head of more than one hundred thousand men, and was assisted by the counsels of Condé and Turenne. Orsoi, Burick, Wesel, and Rhinberg, fortresses on the Rhine, in the possession of Dutch garrisons, opened their gates; the river itself was passed near Schenck in the face of the enemy; Arnheim, Naerden, Utrecht, Deventer, Zutphen, and Nimeguen, submitted; three out of the seven provinces were torn from the republic, and the French out-posts established themselves in the vicinity of Amsterdam.† At first the States seemed to abandon themselves to despair: they were roused to exertion by the approach of the enemy, and the sympathy of Europe. The Louvestein faction, hitherto the ally of France, sunk into insignificance: the prince of Orange was declared captain-general of the army, and admiral of the fleet: promises of succour were obtained from the emperor, the king of Spain, and the elector of Brandenburg; and attempts were made to detach Charles from his alliance with the French monarch. The king, indeed, began to waver. The success by sea had not answered his expectations: the conquests of Louis threatened to provoke a general war in christendom; and a rupture between France and Spain would not only overturn the treaty of Aix-la-Chapelle, but also deprive his subjects of the Spanish trade, the most profitable branch of British commerce. With his son, the Duke of Monmouth, who, at the head of six thousand British soldiers, served in the French army, were joined, as plenipotentiaries, Buckingham, Arlington, and Savile, lately created viscount Halifax. The three latter repaired to the Hague, where they assured the States of the pacific disposition of their sovereign,‡ and thence, accompanied by deputies, hastened to the camp of the French monarch at Heeswick, where, in union with Monmouth, they signed a new treaty, binding the two June 12. July 6.

* James, i. 475, 8.

† For the progress of the French army, see Œuvres de Louis, iii. 130—248.

‡ When Buckingham assured the dowager princess of Orange, that they, the ambassadors, would not use Holland like a mistress, but love her like a wife; she replied, "vraiment je crois que vous nous aimez comme vous aimez la vôtre." Temple, ii. 260.

kings to act in concert, and never to conclude a peace but by joint consent. The separate demands of Charles and Louis were then communicated to the Dutch ministers. Charles, on his part, required, as the basis of peace, the dignity of stadtholder for the prince of Orange, the honour of the flag as an acknowledgment that England was mistress of the narrow seas, the yearly payment of 10,000*l.* for permission to fish on the British coasts, indemnification for the charges of the war to the amount of one million sterling, and the possession of Flushing, Goree, and the neighbouring fortresses, as security for the payment: Louis offered to restore the three provinces which he had conquered, on condition that the States should cede to him such places as they had formerly wrested from Spain, and such part of their territory as lay on the left bank of the Rhine; should pay to him an indemnification of seventeen millions of livres; should yearly offer him a gold medal in acknowledgment of his forbearance, but in reality as a satisfaction for the insulting medal which they struck at the conclusion of the triple alliance, and should grant to their catholic subjects the free exercise of the catholic worship.* The States, at the persuasion of the prince of Orange, indignantly rejected these proposals. They opened their dikes; the country was placed under water; and the progress of the French arms was suspended.

Proceedings in England.

From this moment the war began to languish both by sea and land. Louis left the camp for his capital, and while part of his army was employed to retain possession of his conquests, the other portion

* Dumont, vii. 205, 6. 8. Miscel. Aul. 71, 72. In the united and the neighbouring provinces, the catholics and protestants were intermixed in considerable numbers, and the intolerance of the States induced them, wherever their influence extended, to abolish the exercise of the catholic worship. This was met with similar intolerance on the other side, and the inconveniences arising from such a state of things induced the protestant elector of Brandenburg, and the catholic count palatine of the Rhine, to conclude in this spring a treaty of equitable adjustment, by which the churches were divided between the two communions, and provision was made for their respective ministers out of the property formerly belonging to the clergy, in the duchies of Cleves, Juliers, and Berg, and the counties of Mark and Ravensberg, (Dumont, vii. 171—194.) Louis, following the example, demanded for the catholics within the territory of the States, the use of one church where there were two, and the permission to build another where there was only one, with a decent provision for the clergyman out of the old church property, or some other fund. (Ibid. 205.) This demand, however, gave occasion to the opponents of the court to represent Charles as leagued with Louis in a crusade for the establishment of popery; and, to excite greater irritation, they informed the public that the *principal* church in each town was demanded for the catholics. (Burnet, i. 560.) Another falsehood spread at the time was, that Louis assured the States that he would make peace if they accepted his conditions, whether Charles were satisfied or not. (Marvell, i. 492.) Yet the contrary is the truth. In article xiii he declares that the acceptance of his conditions will not be sufficient: they must satisfy the king of England before peace can be made. Dumont, 206.

marched to the Rhine to observe the German princes, who were arming in support of the States. At sea, De Ruyter had the prudence to shun a second engagement; and the duke of York cruized in vain off the Dogger Bank to intercept the East India fleet, which found shelter in the river Ems. Charles, however, continued faithful to his engagements with Louis, and, to mark his satisfaction with the conduct of his ministers, he had raised sir Thomas Clifford to the peerage by the title of lord Clifford of Chudleigh; created lord Arlington earl of Arlington; lord Ashley earl of Shaftesbury; and honoured Buckingham and Arlington with the order of the garter. For a while Shaftesbury seemed to monopolize the royal favour; so delighted was the monarch with the fertility of his invention, and the fearlessness of his courage. Charles deemed himself bound in honour to shelter the bankers, whose money he had locked up in the exchequer, from the pursuit of their creditors. They applied for protection to the court of chancery; but the lord-keeper hesitated; he doubted whether it were a case in which he ought to interfere; and Shaftesbury seized the occasion to represent him to the king as an old dotard unequal to his situation. The hint was taken; the seal was transferred from Bridgeman to Shaftesbury; and the new lord chancellor soon exposed himself by his vanity and self-sufficiency to the ridicule of the bar as well as the odium of the people. Instead of the sober and decent robes worn by his predecessors in office, he appeared on the bench in "an ash-coloured gown silver-laced, and full-ribboned pantaloons displayed." In the procession to Westminster-hall to open the seal, instead of being conveyed in a carriage, he rode on horseback; and the king's counsel, the law-officers of the crown; and the several judges, were compelled to accompany him in a similar manner, to the great annoyance of some among these reverend personages; one of whom, Mr. Justice Twisden, by the curveting of his horse was laid prostrate in the mire. In his court he professed a sovereign contempt for ancient forms; his orders were made with rapidity, and fashioned after his own fancy: for a few days the counsel did not interrupt him: but he was afterwards so harassed with motions for the explanation and amendment of his orders, that he grew ashamed of his precipitancy, and the imperious reformer gradually sunk into the tamest judge that ever sate on the bench. Mindful, however, of the charge which he had brought against Bridgeman, he was careful to stay the proceedings against the bankers in the inferior courts; but, at the same time, with a prudent regard to his own security, he ap- Nov. 17.

pointed a distant day on which he would be ready to hear counsel against this injunction.*

Clifford made treasurer.

Nov. 26.

The elevation of Shaftesbury made a vacancy in the commission of the treasury. Charles dissolved the board, and at the recommendation of his brother, gave the staff of lord high treasurer to lord Clifford. The friendship which had so long subsisted between Arlington and Clifford was instantly broken. Arlington charged him with ingratitude, with having by his intrigues supplanted his patron and benefactor. But the king commanded them to be friends. He exculpated Clifford. The refusal of the staff to Arlington arose, he asserted, from his own kindness for that nobleman; from a wish to spare him the disgrace and mortification which he would have entailed upon himself by his want of sufficiency and resolution.*

Elections during the prorogation.

Oct. 30.

Dec. 11.

It had been expected that in October Charles would apply to the parliament for money to enable him to open the exchequer in January; and the States flattered themselves with the hope of a powerful opposition on the part of the commons. To their disappointment, the two houses were prorogued till February, and the suspension of payment to the public creditors was continued by proclamation for another half year. Shaftesbury improved the interval to add to the number of his dependents in the lower house. During the prorogation several members had died; some had been called to the house of lords. Instead of waiting till the parliament assembled, he issued writs out of chancery for new elections; these writs, with recommendations from the court, were entrusted to the hands of the persons whose return was desired; and they, availing themselves of the opportunity, in general secured their election. It was, however, observed that almost all, whether designedly or not, were dissenters: this circumstance awakened the anger of the cavaliers and the churchmen; and a resolution was taken to dispute the legality of the writs, and consequently of the returns. Colonel Strangeways, an old cavalier of the first opulence and influence in the county of Devon, whose

* James, i. 481. North, 38. 46. 57, 8. 60. It were, however, unfair to omit the praise allotted him by an enemy.

> In Israel's courts ne'er sat an Abethdin
> With more discerning eyes, or hands more clean;
> Unbribed, unbought, the wretched to redress,
> Swift of despatch, and easy of access.
> *Dryden, Abs. and Achit.*

† Compare James, i. 482, with Evelyn, ii. 386.

friends had been defeated in four instances by the arts of Shaftesbury, placed himself at the head of the opposition.*

At the opening of the session the king and the chancellor successively addressed the two houses. Charles was an ungraceful orator, but on this occasion he spoke with an ease and dignity which surprised his hearers. Shaftesbury dilated on the different topics, which had been mentioned by the king. He justified the declaration of indulgence, and the shutting up of the exchequer; he assumed that the war was popular, and that the pretensions of the Hollanders were so inconsistent with the rights of Great Britain, that "Carthage must be destroyed;" he ridiculed the jealousy of those who feared that the army raised on account of the war, might afterwards be employed against the liberties of the country, and solicited a plentiful supply, to disappoint the expectations of the enemy and secure a speedy and profitable peace.† Opening of parliament. 1673. Feb. 5.

1. The first object which occupied the attention of the commons, was the legality of the writs issued during the prorogation; and in this they obeyed the command of the king, whether he already began to withdraw his confidence from Shaftesbury, or was desirous to propitiate the men who had displayed so much devotion to his person. That the chancellor had acted according to the precedent of former times, was certain: the claim set up by the house, that the order for the writ must originate with the speaker, could not be traced to an earlier period than the year 1640; and it seemed reasonable to conclude, that, like the other prerogatives of the crown, this had also been recovered at the restoration. But the house of commons has never surrendered a privilege which it has once exercised: it was contended that numerous inconveniences would arise from the right claimed by the chancellor; and a resolution was passed that the elections were void, and that new writs should be issued in virtue of a warrant from the speaker. The disappointment opened the eyes of Shaftesbury to the real character of the prince whom he served. He saw that Charles was fonder of ease than of power, more disposed to conciliate than to compel, and more likely to sacrifice an obnoxious minister than to put down a fierce and stubborn opposition.‡ The new elections cancelled. Feb. 6.

2. The house proceeded, in the next place, to the consideration of the supply, and, by an unanimous vote, fixed it at the amount of 1,260,000*l.*, to be raised by eighteen monthly assessments. For this The supply voted. Feb. 7.

* Miscel. Aul. 79. Parker, 262. 4. North, 56.

† L. Journ. 523—6. Miscel. Aul. 98.

‡ C. Journ. Feb. 6. Parl. Hist. iv. 507—12. Parker, 262—5. Orleans, 242.

liberal and unexpected grant, Charles was indebted to the exertions of the two leaders of the opposition, Garroway and Lee, who did not escape the suspicion of having sold themselves to the court, though their friends endeavoured to account for their conduct on the specious ground, that they deemed it politic to hold out to the king so large a sum as a temptation to his indigence. He had assured them in his speech, that "he would stick to his declaration of indulgence." They meant to put his resolution to the test. If he yielded, the money was at his command; if he persisted, no steps would be taken to perfect this previous vote.*

Address against declaration of indulgence.

3. The country party now directed all their efforts to procure the recal of the declaration. Of the indulgence itself they affected not to disapprove: their objections went to the form. They were willing to extend relief to the protestant dissenters, but it must be done in a parliamentary way. The royal authority was bounded by the same limits in ecclesiastical as in civil matters: the king might remit the penalties of the offence, but he could not suspend the execution of the law. By the courtiers the claim of the prerogative was feebly supported on the ground of necessity; because the power of dispensing with the law must reside somewhere; otherwise numerous cases might arise during the intervals of parliament, in which the welfare, the very safety of the state, would be sacrificed to an impolitic and unreasonable jealousy. After a long and adjourned debate it was resolved by a majority of one hundred and sixty-eight to one hundred and sixteen, that "penal statutes in matters ecclesiastical cannot be suspended but by act of parliament,"† and this resolution was embodied in an address presented to the king. Charles required time to consider the question, and then replied, that he was sorry they had questioned his ecclesiastical authority, which had never been questioned in the reigns of his ancestors: that he pretended to no right of suspending any laws concerning the properties, rights, or liberties of the subject; that his only object in the exercise of his ecclesiastical power, was to relieve the dis-

Feb. 10.

Feb. 14.

Feb. 24.

* Com. Journ. Feb. 7. Burnet, ii. 13. We are, however, told by North, that sir Thomas Lee, Mr. Garroway, and sir Thomas Meres, "the bell-weathers of the country party," obtained places in the customs, admiralty, and excise, for their occasional compliance with the court (p. 456;) and lord Dorchester asserts that Lee received for his services on this occasion the sum of 6000*l.*, which one of the clerks of the treasury brought in a hackney-coach to Fleet-ditch, where Lee met him. At a signal they stopped, changed coaches, and drove away. Burnet, ii. 83. note.

† C. Journ. Feb. 10. Yet Burnet describes it as "a very unanimous resolution." ii. 6.

senters; and that he did it not with the intention of avoiding the advice of parliament, but was still ready to assent to any bill which might be offered to him, appearing better calculated than his declaration to effect the ends which he had in view, the ease of all his subjects, and the peace and establishment of the church of England. But this answer was voted insufficient; and a second address informed him that he had been misled by his advisers; that the power of suspending statutes in matters ecclesiastical had never been claimed or exercised by his ancestors; and that his faithful commons prayed from his goodness a more full and satisfactory reply to their petition.* Feb. 26.

By Charles this second address was received as an insult. He declared that he would dissolve the parliament rather than submit to the dictation of his enemies. Shaftesbury, Clifford, Buckingham, and Lauderdale applauded his spirit: the duke of York, though he differed from them on most subjects, concurred with them in this. Concession, it was argued, had been the ruin of the father, it would prove the ruin of the son: to bend in one instance would only lead to additional demands. Let him assume a determined and authoritative tone; let him show that he would never resign a single right of the crown; the opposition would then melt away, and the proudest of his opponents would learn to crouch at the feet of the sovereign. Animated by their discourse, Charles gave himself credit for a degree of resolution which he did not possess: and, when Arlington conjured him to yield, scornfully rejected the advice of his timid and time-serving counsellor. It was determined to oppose one house to the other. In a short speech to the lords, the king complained of the encroachments of the commons, ordered their addresses and his answers to be laid on the table, and solicited the advice of the peers, the hereditary counsellors of the crown. Clifford spoke with his accustomed boldness; but Shaftesbury, who began to doubt of the result, betrayed a disposition to court popularity. His individual opinion was, he said, in favour of the prerogative: but he would not venture to place it in the balance against the authority of so august a body as the house of commons. After a long debate, the lords resolved without a division, that the king's proposal to settle the question in a parliamentary way was a good and gracious answer.† The king appeals to the lords. Feb. 27. March 1. March 4.

* C. Journ. Feb. 14. 24. 26. L. Journ. xii. 540. Parl. Hist. iv. 518—34, 46—51.

† L. Journals, xii. 539. 543. Dalrymple, ii. 89. Orleans, 240. Burnet, ii. 7, 8. There is, however, in Burnet's narrative, so much unquestionably

He cancels the declaration.

The public had watched with intense interest these proceedings in parliament, and many thought they discovered in them the certain prognostics of a second civil war. By the States the hope of a dissolution was cherished: thus the aid of 1,260,000*l.* would be intercepted, and the king be compelled to conclude a peace, or to adopt the defensive system which had been attended with indelible disgrace in the late war. The sagacity of Louis suggested to him the apprehension of similar results. By his order Colbert waited on the king, represented to him the disastrous consequences of a breach between him and the parliament, exhorted him to yield for the moment, and promised on the return of peace, to aid him with men and money for the purpose of recovering the rights which he might be induced to surrender. The resolution of Charles was already exhausted by its previous efforts: he willingly listened to the counsels of the ambassador: the promise of money, always welcome to his indigence, was gratefully accepted; but, as far as regarded military aid, that, he said, should never be solicited by him against his subjects, unless he were reduced to the last extremity by another rebellion. The same evening, sending for the declaration, he cancelled it in the presence of the ministers, and the next morning made a solemn promise to the lords and commons, that "what had been done with respect to the suspension of the penal laws, should never be drawn into consequence." The two houses testified their joy by acclamation; and in the evening numerous bonfires illuminated the streets of the metropolis.*

March 7.

March 8

The test act introduced.

4. It may excite surprise that the dissenters did not rally round the throne, in defense of a measure in which their interests were so deeply concerned. But it was an age in which religious antipathy exercised an unbounded influence over the judgments of men. The knowledge that the duchess of York had died a catholic, the suspicion that the duke of York, the presumptive heir to the crown, had embraced the catholic faith, and the fact of the alliance with France, a catholic power, against the Dutch, a protestant state, were confidently brought forward to prove the existence of a most dangerous conspiracy against all the reformed churches; the declaration of indulgence to tender consciences was represented as the first of the measures devised by the conspirators for the accomplishment of their un-

false, that it is difficult to judge what may be probably true. But his account of Shaftesbury's speech is confirmed by the lord keeper Guilford. Dalrymple, ii. 90.

* Dalrymple, ii, 93—6. L. Journ. xii. 549.

holy purpose; and the dissenters were exhorted and solicited to surrender the advantages which it promised them, for more secure, though, perhaps, less extensive relief to be granted by act of parliament. These arguments had weight with numbers: their jealousies and apprehensions were awakened; they consented to sacrifice their personal interest to the general good, and joined in the popular cry, which demanded additional securities for the reformed faith.* Of these securities, the first regarded the small force lately raised to be employed on the continent. It was remarked that Fitzgerald, the major-general, with a few other officers, was a catholic, and that Schomburg, the commander-in-chief, though a calvinist, was not only a foreigner, but also held high rank in the French army. Why, it was asked, were such men selected for the command? Did there not exist an intention of employing them, at the conclusion of the war, to establish popery and arbitrary power? To remove these fears, an address was voted, requesting the king to discharge from the army every officer and soldier who should refuse to take the oaths of allegiance and supremacy, and to receive the sacrament after the rite of the church of England, and to admit no man, thereafter, into the service, who did not take the oaths before the first, and the sacrament before the second muster. Charles returned a satisfactory answer;† and the anticatholics, elate with their victory, proceeded to urge the exclusion of those who were the objects of their jealousy, from civil as well as military affairs. The suggestion of a test for this purpose came to them from a quarter, whence it was not to have been expected,—from Arlington, the reputed papist. But to Arlington it presented several advantages. It would remove from him the suspicion of catholicity; it would enable him to gratify his resentment against Clifford: it would bring once more within his reach the treasurer's staff, the great object of his ambition; and it would serve to screen him from danger, by creating in his favour an interest among the popular leaders. By them the proposal was gratefully accepted, under the expectation that such a test would solve the question of the duke of York's religion, and, by stripping him of office, exhibit him to the people in a state of political weakness and degradation. Neither did the chiefs of the court party prove more hostile than their opponents, to a measure which opened to them the prospect of power and emolument, from the resignations and removals which it would inevitably occasion. Even the king himself was brought to give his consent. The

* Guilford apud Dalrymple, ii, 91.
† L. Journ. xi. 547, 8, 9.

passing of the test was represented to him as the only condition on which he could hope to obtain the liberal supply that had been voted; and to a prince, with whom, as it was observed, "logic, built upon money, had more powerful charms than any other sort of reasoning," this consideration proved a convincing argument. If he felt at all for his brother, he probably strove to persuade himself that James would never sacrifice the possession of office to the profession of his religion.*

And passed. Feb. 28. In conformity with the suggestion of Arlington, the house of commons resolved, that every individual, "refusing to take the oath of allegiance and supremacy, and to receive the sacrament according to the rites of the church of England, should be incapable of public employment, military or civil;" and a bill was introduced requiring not only that the oaths should be taken, and the sacrament received, but also that a declaration against transubstantiation should be subscribed by all persons holding office, under the penalty of the fine of 500*l.*, and of being disabled to sue in any court of law or equity, to be guardian to any child, or executor to any person, or to take any legacy or deed of gift, or to bear any public office. In the

March 12. lower house, a feeble opposition was offered to the clause imposing the declaration, on the ground that, to make the disavowal of a speculative opinion, the qualification for civil office, was contrary to the nature of a civil test, and calculated to render men hypocrites or atheists. In the upper house the principal novelty in the debate was furnished

March 15. by the earl of Bristol, who, though a catholic, argued in support of the test. That considerable alarm existed, could not, he said, be denied. It mattered little whether it was well founded or not. The more groundless the panic was, the more rapidly it would spread. If, then, the bill tended to lull the apprehensions of the people, it deserved the approbation of the house. It did not enact new, it did not enforce even the old penalties against the catholic worship. It went merely to remove a few individuals from offices, which they could not exercise without scruple and

* The French ambassador supplies the information respecting Arlington and his object (Dalrymple, ii. App. p. 90.); Marvell respecting the motives of the king, and the leaders of the opposite parties. Marvell, i. 494, 5. Neal attributes the test act to an omission on the part of the king, whom he represents as returning no answer to the petition of the two houses for the removal of Catholics from office. (Neal. ii. 693.) But their petition did not ask for any such removal, and it was posterior in time to the resolution for a test. The petition was presented March 7; and the resolution was passed Feb. 28. See Journals on those days.

dissimulation. For himself, he was no wherryman in religion, to look one way and row another. He was a catholic, attached to the church, but not to the court of Rome. He should vote, indeed, against the bill, because it contained expressions to which he could not conscientiously assent; but he hoped that the house would adopt it, as a measure of prudence, calculated to prevent mischief, and to pacify discontent. By this speech, Bristol obtained the reputation of a patriot: the reader will perhaps think a hypocrite; for he prevailed on the parliament to adopt a proviso in his favour, securing to him and his wife a large pension from the crown, and exempting them, and them alone, from the obligation of taking the test.*

5. The bill passed the house of lords, as it had passed that of the commons, without provoking a division; and it may reasonably be asked, how it happened that it received no opposition from the dissenters, when it was so framed as to comprehend them, though its avowed object was the exclusion of others? They seem again to have suffered themselves to be duped by the artifice of their pretended friends. With the bill for the test, was introduced another for ease to protestant dissenters, and thus their objection to the first was neutralized by their hopes from the second. But while one passed rapidly through the house, the other crept slowly on: new questions successively arose, and day after day was spent in debating what quantity of relief should be granted, to what description of non-conformists it should extend, and for how long a time it should be continued. The house at length agreed to confine the benefit to those dissenters who objected only to the articles of discipline, and were willing to subscribe the articles of doctrine of the church of England, to allow all such to hold separate meetings for the purpose of religious worship, to exempt them from the penalties for absence from the parish church, and to repeal in their favour the compulsory declaration of *assent* and *consent* ordained by the act of uniformity. In this shape the bill was forwarded to the house of lords, where it received numerous amendments: to some of these the commons objected; and, though the king warned them of the approaching termination of the session, no care was taken to come to an agreement. On Easter eve, the parliament was adjourned at nine in the evening; before it met again a prorogation fol-

Disserters' relief bill.

March 17.

March 24.

March 29.

* C. Journ. Mar. 12. L. Journ. 557. 9. 561. 7. 9. Parl. Hist. iv. 561—6. St. 25. Car. ii. c. 5.

lowed, and the hopes of relief which the dissenters had been encouraged to cherish, were utterly extinguished.*

Remarks. In the history of this session, it is worthy of notice: 1. that not a murmur was heard from the ranks of the opposition against the war, or the alliance with France, or the suspension of payments in the exchequer. Of these great subjects of complaint, no mention is made either in the addresses or the debates. But not only was silence observed; in addition, an act of grace was passed, which, by pardoning all offences committed before the 25th of March, covered the ministers from the risk of subsequent punishment. It seems as if a secret understanding existed between some of the leaders of the two parties; and that the members of the cabal had sacrificed the catholics to the jealousy of their opponents, on condition of indemnity to themselves.† 2. The house of commons, in the bill which it passed for the ease of the dissenters, departed from those doctrines, which it had so strenuously advocated in the celebrated address to the king, in 1663. At that time it protested against any indulgence, because it was inconsistent with the act of uniformity, calculated to breed schism and multiply sects, and would ultimately lead to universal toleration.‡ But now the distinction between articles of doctrine, and articles of discipline, at that time refused, was broadly admitted; the pains and penalties for absence from church or attendance at conventicles, then considered essential to the safety of the establishment, were taken away; and the declaration of assent and consent, the principal provision in the act of uniformity, was rendered entirely optional. 3. With respect to the test, the oath of supremacy and the subscription against transubstantiation were sufficient to exclude the catholics from office: the obligation of receiving the sacrament after the rite of the established church was necessary as far as regarded *them;* but it operated effectually to the exclusion of the dissenters. Thus the latter, by the establishment of the test, placed themselves in a much worse situation than before. They forfeited the benefit of the king's declaration; they remained subject to the intolerant laws passed against them since the restoration; and, in addition, they entailed on themselves and their posterity a new disability, that of holding employment, civil or military, under the crown.

* Lords' Journ. 561. 4. 571. 6. 9. 584. Parl. Hist. iv. 535—42. 551—6. 571—5.

† "It was the constant practice of these ministers, that, when any of them were afraid of the house of commons for themselves, they presently exposed the papists to be worried, hoping thereby to save themselves from being fastened upon."—James, i. 499.

‡ C. Journ. Feb. 27, 1663.

CHAP. V.

CHARLES II.

NAVAL ACTIONS.—DISGRACE OF SHAFTESBURY.—ADDRESS AGAINST LAUDERDALE AND BUCKINGHAM.—IMPEACHMENT OF ARLINGTON.—CONCLUSION OF PEACE.—DESIGN OF EXCLUDING THE DUKE OF YORK.—REPEATED PROROGATIONS OF PARLIAMENT.—INTRIGUES OF MONMOUTH.—OF ARLINGTON.—PROCEEDINGS OF THE POPULAR PARTY.—NON-RESISTING TEST OF DANBY.—DISPUTE RESPECTING APPEALS.—ANOTHER SESSION.—REVIVAL OF THE DISPUTE.—MOTION FOR DISSOLUTION OF PARLIAMENT.—PROCEEDINGS IN SCOTLAND—AND IRELAND.

In Holland, the rapid success of the French had provoked, instead of subduing, resistance. De Witt, who had so long governed the republic, fell a victim with his brother to the vengeance of an infuriated mob; the prince of Orange took on himself the proud task of liberating his country; and the absence of contending factions gave a more uniform direction to the national efforts, and inspired with greater confidence the princes who dreaded the ascendancy of France. During the winter, Louis made no additional conquests; in the summer the reduction of Maestricht was the only exploit which distinguished his arms. After a succession of marches and operations in Flanders, undertaken for the sole purpose of masking his real object, he suddenly sate down before that fortress, which capitulated after an obstinate defence of twenty-three days. Monmouth, who led the English auxiliaries, commanded under him with the rank of lieutenant-general. His want of military experience was supplied by the counsels of Montal; his personal courage won the applause of the king and of the army.*

Campaign by land.

May 13.

June 1.
June 23.

* Buckingham (Sheffield, works, ii. 24.) says that, "a sure and easy attack was kept back till his day of commanding, that he might have the credit of the success." This insinuation is groundless. On that occasion, says Louis in a letter to Charles, "Il fit tout ce qui se pouvoit pour signaler davantage sa conduite et sa valeur. Je ne dois pas même oublier que le lendemain les

Resignations.

In England, the liberal supply, voted by parliament, gave new vigour to the preparations for war. A fleet of more than sixty sail of large ships was equipped, and an army of eight thousand men was raised and encamped at Blackheath for foreign service. But at first all men fixed their eyes on the duke of York, anxious to learn whether he would take or refuse the test. His conversion to the church of Rome still remained a matter of mere suspicion: but it was observed that, at Easter, when the king received the sacrament, James did not accompany him;* and soon afterwards the fact became public by his voluntary resignation of all the offices which he held under the crown. At the same time, and for the same reason, the lord Clifford relinquished the treasurer's staff in opposition to the advice and entreaty of the king. By those who were acquainted with his aspiring character, and able to judge how much it must have cost him to suppress at once the hopes which he had so fondly cherished, it was supposed that he had bound himself by promise to follow the duke of York; but that prince declares that Clifford was actuated by motives of conscience, and pronounces his conduct the more honourable, as it was the less to be expected from one who had so recently become a proselyte. By his resignation the ambition of Arlington was again awakened, but was again doomed to be disappointed. The king, by the advice of James and Clifford, gave the staff to Arlington's enemy, Sir Thomas Osborne who was soon afterwards raised to the peerage, by the title of viscount Latymer.†

March 30.

June 19.

Aug. 15.

Actions at sea.

By the retirement of James, the command of the combined fleet, amounting to ninety sail of the line, devolved on prince Rupert. With so formidable

assiégés étant sortis sur la demi-lune à la faveur d'un fourneau, il fut à eux l'épée à la main au premier bruit de la sortie, et leur fit quitte le logement." Louis, iii. 412. That this was not mere compliment appears from the following passage in the king's journal of the siege.—"Le duc de Monmouth s'acquit à la tête des mousquetaires une grande réputation." Ibid. 375. See also James, i. 493.

* Evelyn, ii. 380. The king had employed lord Clifford to prevail on James to take the sacrament with him at Christmas: but the duke replied, that his conscience forbade him. James, i. 482.

† Evelyn (ii. 383.) says, "I am confident he (Clifford) forbore receiving the communion, more from some promise he had entered into to gratifie the duke, than from any prejudice to the protestant religion, tho' I found him wavering a pretty while." The duke, on the contrary, says: "the test ousted him of the place of lord treasurer of England, and of being any longer a privy counsellor; who, tho' a new convert, generously preferred his conscience to his interests." James, 484. These passages prove that those writers are incorrect, who represent him all along as a catholic.—Besides lord Clifford, lord Belasyse, sir Thomas Strickland, and several others in eminent stations, resigned. Marvell, i. 458.

a force, it was expected that he would sweep the Dutch navy from the face of the ocean: but he performed nothing worthy of his reputation; and, though he fought three actions with De Ruyter, neither received nor inflicted considerable injury. His friends complained that his powers were limited by unusual restrictions, and that his ships wanted stores and provisions: an officer, who was present, asserts, that he was too closely leagued with the country party to obtain a victory, which might render their opponents lords of the ascendant. He was ordered to take under his protection the army commanded by Schomberg, and to land it on the coast of Holland. Schomberg, unacquainted with naval etiquette, affixed the colours of his regiment to the mast of his vessel, as a signal to the officers in the other transports; but Rupert considered his conduct as an act of insubordination or insult: two shots were fired through the rigging; and orders were given to sink the general's vessel, unless the flag were immediately struck. Schomberg reluctantly submitted, and the armament proceeded to the Dutch coast; but no landing was effected. Rupert, having alarmed the inhabitants on several points, from the Maese to that of the Ems, ordered the military force to return to Yarmouth, where it remained encamped during the rest of the season. Schomberg, attributing both the violence of the prince with respect to the flag, and his refusal to land the army in Holland, to personal dislike, sent him a challenge; but Charles interfered to prevent the meeting, and the general quitted the English service.* July 23. Aug. 2.

A congress had been held at Cologne, under the mediation of the king of Sweden. But the States had now a brighter prospect before them, and scornfully refused conditions which they would have gladly accepted in the preceding summer. The assassination of the two De Witts by the populace had destroyed the influence of the Louvestein party: the Orange interest obtained the predominance in every province; and the young prince already displayed that decision of mind, that inflexibility of purpose, which marked his character through life. The other powers of Europe did not remain indifferent spectators of the contest. Leopold of Austria, and Charles of Spain, offered their assistance; and a defensive alliance bound them to unite their arms against the enemies of the republic.† Congress at Cologne. Aug. 20.

* Buckingham (Sheffield), ii. 25—9. See also a letter from the king to Rupert, in which he calls the raising of the flag "a casual and inoffensive error, laments the mortification of Schomberg, and is not willing that the quarrel should be carried any further." Lansdowne, MSS. 1206, p. 158.

† Dumont, vii. 240, 243. Soon afterwards Louis, to keep Charles firm to

This was not the least singular of the revolutions which the seventeenth century exhibited. The remembrance of past injuries was suppressed; the objections of religion were silenced; and the emperor and king of Spain, the representatives of that family, from whose iron yoke the united provinces had been lately freed, now hastened to their support in opposition to England and France, the two powers which had originally watched and protected the cradle of Dutch independence.

Meeting and prorogation of parliament.

But the States not only obtained foreign aid, they indulged a well-founded hope of separating Charles from his alliance with France, and with that view kept up a close correspondence with the discontented party in England. If the religious antipathies of the people had been excited by the conversion of James to the catholic faith, they were now blown into a flame by the intelligence, that he had recently married by proxy the sister to the reigning duke of Modena, Maria d'Este, a catholic princess of the age of fifteen.* The danger to the protestant religion from this inauspicious union became the subject of every discourse; and Charles, that the popular excitation might have time to subside, and the real intention of the States be satisfactorily ascertained, resolved to postpone the meeting of parliament to the termination of the Christmas holidays. From this counsel he was seduced by the artful and treacherous suggestion of the chancellor, who had secretly been reconciled, and had made the promise of his services to the country party. On the appointed day, the 20th of October, the two houses assembled: but Shaftesbury, in defiance of the order which he had received, neglected to adjourn them till the commons had voted an address to the king, praying that he would not permit "the marriage between the duke and the princess of Modena to be consummated." They met again on the 27th, and were informed that his majesty could not in honour

Sept. 30.

Oct. 20.

Oct. 27.

his engagements, granted him a very singular favour. By the death of the last duke of Richmond, Aubigni, in the province of Berry, which had been granted to one of his ancestors, reverted to the French crown. On the 29th of July, 1672, Louise de Querouaille bore a son to Charles, the next year he created her duchess of Portsmouth: and Louis, at the desire of the king, conferred on her the domain of Aubigni, to be enjoyed by her during her life, and at her death to go to any one of the natural sons of Charles, whom that monarch might please to name, and to the male descendants of that son, "to the end that the land of Aubigni might continue in possession of the illustrious house of Stuart." Charles of course named his son by Querouaille, and created him duke of Richmond, Aug. 19, 1675. See the Letters Patent of Louis XIV., note [E].

* James, i. 484. He had first solicited the hand of the archduchess of Inspruck, but that princess preferred the emperor Leopold. See the negotiation in Miscel. Aul. 65—107.

break a contract of marriage which had been solemnly executed. But his opponents in the lower house were not to be deterred: their plan of operations had been previously arranged, and they proceeded to resolve, that a second petition, of the same import with the first, should be presented; that no supply should be granted, unless the obstinacy of the Dutch made it necessary, till the country was secured from the danger of popery and popish counsellors, and the existing grievances were redressed; that a test should be imposed to distinguish between protestant and papist, and render the latter incapable not only of office, but of sitting in either house of parliament; that the standing army was a grievance which ought to be redressed; and that (as had been done by the long parliament in the time of Charles I.) the king should be petitioned to appoint a day of general fasting, that God might avert the dangers with which the nation was threatened. These votes created alarm in the court; and Charles, hastening to the house of lords, prorogued the parliament.* Nov. 4.

By this decisive measure, the hopes of the opposition were disappointed, and Shaftesbury became the victim of his own policy. Calculating on the easy, irresolute disposition of the king, he had anticipated victory instead of defeat, and probably expected to retain his high office, while his colleagues should be excluded from the royal counsels. Charles, having granted him a full pardon for all offences against the crown, demanded the great seal, which he gave to sir Heneage Finch, with the office of lord keeper;† and the disgraced minister, hitherto the adviser of the most arbitrary measures, openly proclaimed himself the adversary of the court, the warm champion of the liberties of the people. He walked daily in the exchange, accompanied by some of the young nobility, entered into familiar conversation with the merchants, and feelingly deplored to them the miseries of the nation, the depression of trade, and the danger which threatened religion. In the estimation of his new associates, his political conversion had obliterated the guilt of his former transgressions; he was applauded as a per- Disgrace of Shaftesbury. Nov. 9.

* Com. Journals, Oct. 20. 27. 30, 31. Nov. 3, 4. James, i. 485. Burnet, ii. 31.

† The reader will recollect, that in 1614 it was resolved, that for the future no attorney-general should sit in the house of commons, because by his office he is an assistant of the house of lords. In consequence, in the years 1620. 1625. 1640, when members of the house of commons were appointed to the office, new writs were issued by the speaker. On the elevation of Finch to the chancery, North succeeded as attorney-general, but did not, as others before him, vacate his seat. Though some members complained, he was permitted to remain in the house. All his successors have continued to sit without molestation.

secuted patriot, a martyr to the liberties of his country; and, doubtful as it was whether he believed or not in revelation, theologians were found to describe him from the pulpit as the saviour of religion, and to foretel that his fame, like that of the woman mentioned in the gospel, should live throughout future generations. He failed, however, in his attempt to procure an address to the king from the common council. Charles had many friends in the capital; and the leading citizens, on the signification of the royal disapprobation, refused their concurrence.*

Marriage of duke of York.

The votes of the house of commons had spread consternation among the courtiers, and Arlington conjured the king either to prevent the departure of the Italian princess from Paris, or to insist that James after his marriage should withdraw from public notice, and lead the life of a country gentleman. But Charles replied, that the first was incompatible with his honour, and the second would be an indignity to his brother. The duchess left Paris, James with a small retinue met her at Dover,

Nov. 21.

and Crew, bishop of Oxford, declared the marriage lawful and valid.† Here, however, the earl of Berkshire, a catholic, probably at the request of the king, advised the duke to solicit permission, that he might retire to Audley-end, both for his own quiet, and the royal convenience. James indignantly refused: his interest, he said, required that he should be present to oppose his enemies; his duty forbad him to desert his brother without the royal command. From

Nov. 26.

Dover he returned to the palace of St. James's, where the dutchess, by her youth, and beauty, and innocence, disarmed the malevolence of party, and became a general favourite with the court. Charles, however, partook of the common alarm. He refused her the use of a public

Dec. 10.

chapel, which had previously been stipulated; he ordered the officers of the household to prevent all catholics, or reputed catholics, from entering the palace, or coming into the royal presence; he forbad, by an order of council, any popish recusant to walk in the park, or visit at St. James's, and he instructed the judges to enforce with rigour the execution of the penal laws against the catholics.‡

* James, i. 488. Parker, 266, 7. 271. Macph. Pap. i. 69.

† James, i. 486. Temple, ii. 288. The ceremony was merely the following:—"The bishops asked the duchess and the earl of Peterborow, whether the said earl had married the dutchess of York as proxy of the duke, which they both affirming, the bishop then declared it was a lawfull marriage." Ibid.

‡ James, i. 487. Kennet, 296. L. Journ. 595. Jame, i. 499. Burnet, ii. 30. 37. These orders were executed with such severity, that within the course of two months seven catholic peers were compelled to appeal to the

By these regulations the king hoped to satisfy the more moderate of his opponents. When the houses met after the prorogation, he addressed them with that air of candour, affability, and cheerfulness, which was so natural to him; and was followed by the lord keeper in a long and eloquent speech, describing the object of the measures lately adopted, imputing to the States insincerity in the negotiation, extolling the king's attachment to the doctrines and worship of the established church, and demanding a supply, as equally necessary for the attainment of peace, and the prosecution of the war. But neither the affability of the prince, nor the eloquence of the minister could make any impression on the leaders of the party, who were now supposed to act under the guidance of Shaftesbury. I. It was too late to resume the question of the duke's marriage; they, therefore, began with the presentation of three addresses, praying the king to enjoin a public fast, that the whole nation might implore the protection of the Almighty for the preservation "of church and state against the undermining practices of popish recusants;" to command all papists not householders to remove to the distance of ten miles from the capital during the session of parliament: to order that the names of all popish householders within the distance of five miles should be enrolled at the sessions, and to direct the militia of London, Westminster, and Middlesex to be ready at an hour's notice, and the militia of the country at a day's notice, to suppress any tumultuous meetings of papists or other discontented persons. It cannot be pretended that there existed any real ground for these precautions and insinuations; but the experience of the civil war had shown how efficacious such addresses were in exciting vague and alarming jealousies in the minds of the people, and in directing their attention to the parliament as the faithful guardian of religion and liberty; and similar proceedings were at present adopted in furtherance of the projects of the party, whose great aim was believed to be the exclusion of the duke of York from the throne. To each address Charles returned a gracious and satisfactory answer.*

Twelfth session of parliament. 1674. Jan. 7.

Jan. 12.

2. They proceeded next to vote the removal from office of all counsellors "popishly affected, or otherwise obnoxious or dangerous." Who, it was asked, advised the alliance with France and the

Removal of ministers.

house of lords for protection: namely, the marquess of Winchester for himself and his servant; the earl of Norwich for himself and his two sons, and the earl of Cardigan, the viscount Montague, and the lords Petre, Arundel, and Belasyse, for themselves. L. Journ. xii. 613, 21, 22. 35. 42.

* L. Journ. xii. 594. 8. C. Journ. Jan. 7. 12. On the 1st of August, 1673, the duke of York told the French envoy that he was afraid of being excluded from the succession. Dalrymple, ii, App. 96.

rupture with Holland, the declaration of indulgence, and the suspension of payment to the public creditor, the levy of an army without the advice of parliament, and the placing of a foreigner at the head of that army, the marriage of the duke of York, and the prorogation of last November? Let inquiry be made; let a mark be placed on the authors of such evil counsels; let them be incapacitated from repeating their pernicious advice, and from inflicting new injuries on the nation.*

It was a maxim with the court, introduced by Clarendon and followed by his successors, to leave the parliament, in show at least, to the unbiassed exercise of its own judgment. Though every species of influence and corruption was employed to secure votes, the appearance of a court party was carefully avoided. The most devoted adherents of the ministers received directions to conceal their real sentiments, to seek popularity, to speak and vote frequently with the opposition, to join in the cry against popery, and in the most violent measures against its professors, that on more important occasions their opinions might appear disinterested, and consequently have greater weight with their colleagues. Hence it generally happened that the motions which the court wished to carry came first from the ranks of the opposition; and that the resistance to the measures of the country party was feeble, fluctuating, and cautious. The question was never met fairly and manfully; but the debate was protracted, difficulties were raised, amendments were suggested, and, as a last resource, some unintelligible and irreconcileable quarrel about privilege was provoked between the two houses.

On the present occasion the court pursued its usual policy. The friends of the ministers did not deny that evil counsels might have been given, but contended that no man could justly be punished before he had been put on his defence. They admitted that grievances existed, but represented the grant of a supply as not less necessary to the welfare of the nation than the redress of grievances. Why might not the two subjects accompany each other, and one day be devoted to the consideration of grievances, the next to the consideration of the supply? Why should not the clamours against evil counsellors be reduced to specific charges, and the accused be permitted to justify themselves?†

Proceedings against

3. But their opponents adhered steadily to their own plan, and proceeded to consider, in the first place, the case of the duke of Lauderdale. It was

* C. Journ. Jan. 12, 13, 14.
† Parl. Hist. iv. 620.

alleged against him, that as chief of the administration in Scotland, he had raised an army for the purpose of employing it to establish arbitrary power in England, and that at the council in England, when a magistrate was charged before it with disobedience to the royal declaration, he had said, "your majesty's edicts are equal with the laws, and ought to be observed in the first place." It was "resolved that an address should be presented to the king to remove Lauderdale from all his employments, and from the royal presence and councils for ever."* Lauderdale. Jan. 13.

Buckingham, aware that he was destined to be the next victim, solicited and obtained permission to address the house. His first speech was confused and unsatisfactory; nor did his second, on the following day, supply the deficiencies of the former. He represented himself as a man, who had spent a princely fortune in the service of his country; and reminded his hearers of the patriotism with which he had once braved the resentment of the court. He offered nothing in defence of the conduct of the ministry; but sought by evasion and falsehood to shift the responsibility from himself. Some of their measures he pretended that he had opposed, in conjunction with the earl of Shaftesbury; some he imputed to lord Clifford, who was no longer alive to rebut the charge: some he openly attributed to his known enemy, the earl of Arlington; and of others he darkly insinuated that the blame lay with the royal brothers, by the enigmatical remark, that a man might hunt the hare with a pack of beagles, but not with a brace of lobsters. His submission obtained for him some indulgence from the house. It was voted, indeed, that, like Lauderdale, he should be removed from the royal presence and councils; but with respect to office, only from those employments which he held during pleasure; words that left him at liberty to dispose by sale of such as he held by patent.† To the address against him, as well as that against Lauderdale, Charles briefly replied, that he would take it into consideration. Against Buckingham. Jan. 13. Jan. 14.

Against Arlington was exhibited an impeachment of treason, and other crimes of high misdemeanor, in a great number of articles, arranged under the three heads of promoting popery, embezzling and And against Arlington. Jan. 15.

* C. Journ. Jan. 13. Parl. Hist. iv. 625—30.

† C. Journ. Jan. 13, 14. Parl. Hist. iv. 630—49. Burnet, ii. 38. Reresby, 24. At the same time the house of lords was employed in an inquiry arising out of the complaint of the trustees of the young earl of Shrewsbury, against the duke of Buckingham and the countess dowager of Shrewsbury; and an award was made that "the duke should not converse or cohabit with the countess for the future, and that each should enter into security to the king's majesty in the sum of ten thousand pounds a-piece for that purpose." L. Jour. xii. 628.

wasting the royal treasure, and betraying the trust reposed in him as privy counsellor. Of these articles three parts in four had evidently no other foundation than suspicion and report, and the ease with which they were refuted served to throw ridicule on the whole charge. Arlington addressed the house with more firmness than had been expected. To the assertions of Buckingham he gave the most pointed contradiction; and represented the injustice of imputing to one counsellor the blame or merit of measures which had been adopted in consequence of the judgment and advice of the whole board. Arlington had secret friends among those who appeared openly as his enemies: they acknowledged that there was much force in his arguments; and the motion to inflict on him the same punishment as on Lauderdale was rejected by a majority of forty voices. All that his enemies could obtain, after a debate of five days, was the appointment of a committee to inquire, what part of the articles could be so far established as to furnish ground for impeachment; and this committee, whether it was through the difficulty of procuring satisfactory proof, or the intrigues of the leaders in favour of the accused, never presented any report.*

Jan. 26.

Feb. 7.

Orders of the house of lords. Jan. 30.

By the lords the conduct of Buckingham and Arlington, who had condescended to plead their own cause before the house of commons, was considered derogatory from the dignity of the peerage; and a standing order was made, that no peer should answer any accusation before the commons in person, or by counsel, or by letter, under the penalty of being committed to the custody of the black rod, or to the Tower, during the pleasure of the house. In obedience to another order all the peers in attendance, whether protestants or catholics, took the oath of allegiance, which had been framed in the third year of James I., as a renunciation of the temporal claims ascribed to the pope, and of the anti-social doctrines imputed to the catholics. The duke of York hesitated at first. It had never been proposed to princes standing in the same relation with himself to the throne, and he was unwilling to establish a precedent to bind those who might succeed him. But, some of the lords making a distinction between heir-presumptive and heir-apparent, he waived the objection, and took the oath in the same manner as all the other members of the house.*

Jan. 13.

Jan. 14.

* C. Journ. Jan. 15. 20, 21. Feb. 18. Parl. Hist. iv. 649—57. Burnet, ii. 38.

† Lords' Journ. xii. 606. 8. 12. Macph. Pap. i. 71.

In the mean while the commons betrayed no disposition to grant a supply, and Charles, weary of the war, sought some expedient to disengage himself without disgrace from his connexion with France. The allied sovereigns no longer retained that proud superiority which they had won in the first year of hostilities. By sea the English had gained no considerable advantage: by land the tide of success had turned in favour of the States. Spain and Austria had come forward to their aid: Montecuculli, the imperial general, had deceived the vigilance of Turenne, and laid siege to Bonn; the prince of Orange, having reduced Naerden, by a bold and skilful march joined Montecuculli: Bonn surrendered; and the army, which maintained the French conquests in the united provinces, cut off from all communication with the mother country, was compelled to make a precipitate retreat on the ancient frontiers of France. At this moment, the States made to Charles, through the Spanish ambassador, Del Fresno, an offer of acceding to the terms which they had refused at the congress of Cologne.* This unexpected step was differently interpreted by their friends and foes: the truth is, that the concession was the price at which the States had purchased the aid of Spain. The queen-regent refused to engage in a war with England; and her ambassador, when he signed the public treaty of alliance, received from the States a secret power of negotiating with the English king on the following basis: that the conquests on each side should be restored; that the honour of the flag should be yielded to Charles; and that a sum of money, not exceeding 800,000 crowns, should be paid to him as an indemnification for the expenses of the war.† Whether Louis had obtained information of the secret, is uncertain. During the autumn he refused the king an advance of money; now he offered, through his ambassador Ruvigny, a large sum towards the equipment of the fleet. But Charles had communicated the proposal of the States to both houses of parliament, and had been advised by them to commence the negotiation. He replied to Ruvigny, that he had gone too far to recede; that necessity prevented him from supporting France any longer as her ally, but that he still hoped to be of service to his good brother as mediator between him and his opponents. Sir William Temple was appointed to negotiate with Del Fresno; in three days, the articles were satisfactorily

Proposals of peace from the States.

Jan. 24.

1673. Aug. 20.

* L. Journ. 616.
† Dumont, vii. 242.

Feb. 11. adjusted: and Charles announced to his parliament, that he had concluded "a speedy, honourable, and, he trusted, a lasting peace."*

Treaty. By this treaty, the king obtained the substance of his demands in the summer of 1672, with the exception of an acknowledgment for the permission to fish in the British seas, the mention of which was carefully avoided by both powers. The States consented that their ships and fleets should lower their flags and topsails to every British man of war, on any part of the sea from Cape Finisterre to Van Staten in Norway, as a matter of right, and not merely of compliment; that the English settlers in Surinam should be freely permitted to leave that colony in English ships; that all subjects of dispute between the East-India companies of the two nations should be referred to the decision of arbitrators to sit in London; that whatever questions might not be determined by them in the space of three months should be referred to the decision of the queen-regent of Spain; and that the States should pay to the king of Great Britain the sum of eight hundred thousand crowns by four yearly instalments. Charles had formerly demanded for the prince of Orange the dignity of stadtholder, admiral, and captain general, both to him and his posterity for ever: but the States prevented the agitation of the question by conferring those offices on him and his heirs a few days previously to the opening of the negotiation.† Jan. 7.

Designs against the Duke of York. The reader is already aware, that ever since the fall of Clarendon, the violent opponents of that nobleman feared the resentment of the duke of York, and considered their own safety to be intimately connected with his exclusion from the throne. The duke's subsequent adoption of the catholic creed had furnished them with an advantage of which they were not slow to avail themselves. They appealed to the religious passions of the people; they magnified the danger which threatened the established church; and they called for the establishment of securities, which, though they equally affected the whole body of catholics, were in the intention of the framers chiefly directed against the duke's right to the succession. Their first

* L. Journ. 925. 8. 32. Dalrymple, ii. 96. Temple, ii. 247—50. It appears that now the committee for foreign affairs, or the cabinet council, consisted of Finch, lord keeper, viscount Latymer, lord treasurer, and the earl of Arlington, and sir John Coventry, secretaries of state. Temple, ibid.

† Dumont, vii. 253. There was added a secret article, that neither power should assist the enemies of the other; but this was explained to mean, not that Charles should recal the English troops serving in the French army, but that he should not suffer them to be kept up to their full complement by recruits. Temple, ii. 250.

step towards his exclusion was the enactment of the test, which not only stripped him of the extensive influence attached to his office of lord high admiral, but held him out to the people as unfit to be trusted with employment under government, and consequently still more unfit to fill the most exalted magistracy in the state. Their next attempt was to expel him from the house of lords, and from the councils and the presence of his brother; and for this purpose they had devised a more comprehensive test;* and moved in the last session, that whoever refused to take it should be disabled from sitting in parliament, and prohibited from approaching within five miles of the court. This bill had been arrested in its progress by the prorogation: it was now introduced a second time under more favourable auspices. The court party did not venture to resist it directly; but they proposed that the duke of York should be excepted from its operation; the amendment was carried by a majority of two voices; and from that moment the bill was neglected by its patrons, because, as Shaftesbury observed, it was no longer worth the acceptance of the party. At the same time, in the house of lords, a different plan of securities had been devised and adopted; to disarm all catholics; to prevent the princes of the blood from marrying any but protestants, and to provide that all the younger branches of the royal family, the eldest sons of catholic peers, and all the children of other catholics, if the father were dead, should be brought up protestants. The earl of Carlisle moved, that to a prince of the blood, the penalty for marrying a catholic should be the forfeiture of his right to the succession. He was warmly supported by Halifax and Shaftesbury, and as warmly opposed by the lord keeper, and the earl of Peterborough: the bishop of Winchester, with several of the prelates, came to the aid of the latter, maintaining that such a penalty was inconsistent with the principles of christianity, and the doctrine of the church of England: and, after a long and animated debate, the amendment was rejected by a triumphant majority.†

The duke of York had now but a cheerless prospect before him. He was fully aware of the object Projects

* The notion of a more comprehensive test originated from the small number of resignations, which had followed the enactment of the last. It had disappointed the expectations of its more ardent advocates. (Marvel, i. 458). Instead of inferring, which was the truth, that they had overrated the real number of catholics in office, they included in the new test a denial of more of the catholic doctrines, as if the men, if any such there were, who had not hesitated to abjure a part of their creed for the preservation of their places, would not as readily, through the same motive, abjure the remainder.

† L. Journ. xii. 618. 626. 647. 9. C. Journ. Jan. 21.; Feb. 5, 20, James, i. 489. Macph. 71, 2. 5. 9.

of that prince.

of his enemies, of the talents and influence of some, and of the reckless unprincipled characters of others. He saw that his power and popularity were gone; the wavering disposition of his brother forbad him to place his reliance on the support of the throne; and the victory, which he had recently obtained in the house of commons, was so trifling that it could not impart confidence, though it might exclude despair. The first expedient, which suggested itself to his mind, was a dissolution of parliament; but the result of another election was uncertain; and Charles had always betrayed an insuperable dislike to the experiment. He would, he said, try the temper of the house of commons once more. If they granted him a supply, they should continue to sit: if they refused, he would then dissolve them. The duke next resolved to retard, as much as was in his power, the meeting of parliament, the only opportunity which his enemies would have of accomplishing their purpose.* But for this it was necessary to supply his brother with money; and money could be procured only from the king of France. Fortunately, however, for his object, the views of Louis, in respect to the meeting of parliament, coincided with his own.

Prorogation of parliament.

That prince, though deserted by his ally, still proved a match for his enemies. If he lost Grave, he had gained several battles; and the relinquishment of his conquests in the Netherlands had been more than balanced by the possession of the important province of Franche-Comté. Yet he had reason to dread the accession of England to the confederacy against him, and willingly listened to the duke of York who suggested that he should purchase the neutrality, by relieving the

Aug.

wants of his English brother. The sum demanded was 400,000*l.*; but Louis pleaded the immense charges of the war, and the exhaustion of his treasury; Charles descended to 300,000 pistoles; 500,000 crowns were at length

Aug. 23. Nov. 10.

offered and accepted; and the parliament was prorogued by proclamation from the 10th of November, to the 13th of April. All parties professed themselves satisfied. Charles obtained a temporary relief from his pecuniary embarrassments; Louis was freed from the apprehension of a war with England during the approaching year; and James had gained an additional delay of five months to watch the secret intrigues, and prepare against the intended attack of his opponents.†

* See Coleman's Letter in Journals of the Com. ix. 525.

† Dalrymple, ii. App. 98, 9. Dalrymple observes that the information in the letters of Ruvigni tallies well with the beginning of Coleman's correspondence. It does more. It shows the busy, intriguing disposition of Cole-

But whom, it may be asked, did those opponents mean to substitute in his place as presumptive heir to the crown? Hitherto they had fixed their eyes on the young duke of Monmouth, nor was it unreasonable for them to hope that the king's partiality for his son would serve to reconcile him to the exclusion of his brother. Neither did Monmouth himself appear indifferent to the splendid prize which solicited his pursuit, or prove inattentive to the suggestions of those who flattered and irritated his ambition. By their advice, he begged of Charles the appointment of commander-in-chief, which had been abolished, at the death of Monk, as an office dangerous to be placed in the hands of a subject, at a time when revolutionary principles were still cherished in the country. James was alarmed: he remonstrated against the measure; but the affection of the king refused to listen to his arguments, and the patent was engrossed, and received the royal signature. The duke of York, however, had his suspicions. He took it up from the table; his jealous eye immediately discovered several erasures; and these, on examination, proved to be obliterations of the word "natural," wherever Monmouth was described as the son of the king. Charles felt indignant at the fraud which had been practised upon him: he tore the paper into fragments; but his anger quickly subsided; the offence was forgiven, and Monmouth obtained a second patent, drawn, however, in proper form, and with the admission of the obnoxious epithet. Still his advisers were not satisfied. They instructed him to ask also for the command of the Scottish army, the levy of which they attributed to views hostile to the liberties of England. The king, with his usual facility, granted the request; but when Monmouth insisted that this commission should be drawn for life, and without mention of his illegitimacy, he was disappointed in both points by the vigilance and firmness of Lauderdale.* Duke of Monmouth.

man, which was so well known to the duke, that he was not trusted by him. Coleman sought to procure money from Louis through Ferrier and Pomponne, at the very time when this bargain was concluded with Ruvigni; and so ignorant was he of its existence, that he afterwards attributes the prorogation to the advice given by himself and his friends. Coleman's Letter, Com. Journ. ix. 526.

*James, i. 496, 7. The next year the duke of York was more successful. Russell, colonel of the foot guards, solicited leave to sell his commission, and the king agreed to purchase it for the earl of Mulgrave, who was afterwards duke of Buckingham. But Mulgrave had seduced the mistress of Monmouth, who, in revenge, extorted, by his importunity, from the king a promise of the regiment for himself. (1675. Ap. 24.) Mulgrave spoke to the duke. He observed to him, that as the regiment of two thousand four hundred men formed the strength of the army, the succession to the crown might one day depend on the fidelity of its commander. James instantly caught the alarm. He applied to the king, to Monmouth, to the minister, but in vain. At last he prevailed on Russell, in consideration of a valuable present, to tell the king that he repented of his design: that it would break his heart to leave the

Intrigues of the prince of Orange.

A second, and in many respects a more formidable rival, was William, prince of Orange, the next in succession to the crown after the duke of York and his children. William was a protestant; his heroic exertions in defence of his country had exalted him in the eyes of all who dreaded the ambitious designs of the French monarch; and some of the popular leaders in England had not hesitated to pledge themselves to his service and to advocate his interests, even at a time when he was at war with their sovereign. The correspondence between them passed through the hands of Du Moulins, who, on suspicion of treachery, had been dismissed from the office of lord Arlington, and had obtained in Holland the appointment of private secretary to the prince. His agents in England were Frymans, a Dutchman, and William Howard, the member for Winchelsea, and afterwards lord Howard of Escrick. The first was screened from detection by his obscurity; but the discovery of certain important documents, furnished to the States by Howard, led to his incarceration in the Tower, where he purchased his pardon by an ingenuous confession. The king then became acquainted, for the first time, with the plan arranged between the prince and his English adherents, guided, as it was believed, by Shaftesbury during the last winter,—that the Dutch fleet should suddenly appear at the mouth of the river; that they should improve the panic which it would occasion, to raise the people; and that the king should be compelled by clamour and intimidation to separate from his alliance with France. The conclusion of peace prevented the attempt; but did not dissolve the connexion. It was proposed with the aid of money from Holland, to form a party in parliament, which should force Charles to join with the States as an ally in the war; and the prince was not only encouraged to hope for success by exaggerated statements of the national discontent, but advised to be in readiness to take advantage of any revolution which might follow.*

Of Shaftesbury.

The king was aware of the correspondence, but not of the particulars: and his jealousy was augmented by the ambiguous language of the instructions found upon Carstairs, an agent from the prince for the levy of troops. He resolved to watch more narrowly the conduct of Shaftesbury, who already began to practise

service of his sovereign. Thus Monmouth was disappointed. Buck. Memoirs, ii. 33—38. Maph. i. 84.

* D'Avaux, i. 8. Burnet, ii. 56. Burnet, however, should be corrected by Temple, ii. 286. 294. 334. 337.

those arts of exciting the passions of the people, which he afterwards employed to a greater extent, and with a more favourable result. He represented himself as having earned by his zeal for protestantism the hatred of the papists: under pretence that his life was in danger from their malice, he procured lodgings in the house of Cook, an anabaptist preacher, and announced to the citizens that he trusted for his safety to their vigilance and fidelity. But the king had no intention that the agitator should gain the ascendancy in the capital. He informed Shaftesbury that he was acquainted with his intrigues; he ordered him to quit London and retire to his house in the country; he dined in public with the lord mayor on the 29th of October, and accepted, in a gold box, the freedom of the city. On such occasions the king was irresistible. In defiance of the reports circulated against him, he won by his affability and cheerfulness the hearts of the citizens.*

Of Arlington.

During the summer Charles had leisure to decide on the fate of the three ministers, who had drawn upon themselves the displeasure of the parliament. He considered Lauderdale as a servant of the crown of Scotland, and resolved to retain him in all his offices in opposition to the votes of the house of commons. Buckingham he dismissed without regret; and that nobleman immediately joined Shaftesbury, and proved himself a valuable auxiliary in the ranks of his former enemies. Arlington, by the royal command, accepted from sir Joseph Williamson the sum of 6,000*l.* for the secretaryship of state, and was raised to a more honourable, though less influential, office, that of chamberlain of the household. He did not, however, disguise to himself the real cause of his removal. He had observed the rapid progress which the new treasurer, lately created earl of Danby, had made in the royal favour; he saw that, to support his own declining credit, it was necessary to render some signal service to the king; and with this view he proposed to him the negotiation of a marriage between William, prince of Orange, and Mary, eldest daughter and presumptive heir to the duke of York. As the prince was a protestant, such marriage, he argued, would tend to allay the religious apprehensions of the people; and, as it would open to him a fair prospect of succeeding to the throne, it might reasonably be expected in return, that he should divorce himself from his political connexion with the popular leaders, and second the king in his endeavours to mediate a general peace. It was in vain that the duke of York objected: when he claimed the rights of a parent, he was told that his children were the pro-

* Macph. i. 73. Kennet, 300.

perty of the nation; and when he urged the indelicacy of making his daughter the wooer, it was replied, that it would be the care of the negotiator to lead the prince by hints and suggestions to make the first proposal. Charles entered warmly into the project, and the earls of Arlington and Ossory proceeded with their families to the Hague, under the pretence of visiting the relations of their wives, two sisters of the house of Beverwaert. But William had already taken his determination. For Arlington he had contracted an insuperable aversion, and when that minister complained to him in his uncle's name of his reluctance to accept the king's mediation, and of his intrigues against the royal authority, he replied that peace must depend on the consent of those allies who had so generously rescued his country from the grasp of the invader, and that his honour forbade him to enter into explanations which might compromise the safety of his friends in England. To the earl of Ossory, whom the prince, on account of his naval reputation, treated with more respect, had been assigned the first mention of the intended marriage; but the moment he attempted to introduce the subject, William interrupted him by the laconic remark, that, in the existing circumstances, he was not in a condition to think of a wife. The fact was, that his English adherents were alarmed. They admonished him to be on his guard against the wiles and sophistry of Arlington, and conjured him to reject the proposal of marriage as an artifice devised by his enemies, to destroy his popularity, by persuading the people that he was joined in league with the king and the duke against their liberties and religion. The advice was religiously obeyed; and the envoys, having paid a short visit to their relations, returned to England. Here Arlington found that the failure of his mission did not contribute to raise him in the estimation of his sovereign, and that Danby had improved the opportunity furnished by his absence, to render himself the lord of the ascendant.*

Nov. 10.

Plans of the opposition.

As the winter passed, the leaders of the two great parties held numerous consultations, to recruit their forces, and arrange their plans against the approaching session of parliament. In the house of lords the adversaries of the minister could present a small but formidable minority under the duke of Buckingham, the earls of Shaftes-

* James, i. 500—2. Temple, ii. 287—295. 334. Coleman's Letter, C. Journ. ix. 527. The origin of the prince's aversion to Arlington arose from that minister's attempts in favour of the project to legitimate Monmouth. Macp. i, 74. 84. When the offer of marriage was made, he knew that the dutchess of York was in an advanced state of pregnancy, a circumstance which considerably lessened its value.

bury and Salisbury, and the lord Wharton. In that of the commons they formed a numerous party under active and experienced leaders; among whom were Garroway and Lee, veterans who had long been listened to as oracles in the house; Powle and Lyttleton, skilled in the science of forms, and the application of precedents; lord Cavendish, distinguished by the versatility of his talents and the elegance of his manners, the votary at the same time of ambition and of pleasure, ardent in his pursuits, and implacable in his resentments; lord Russel, less brilliant and less eloquent than his friend, but more regular in his morals, and more respected by his colleagues; sir William Coventry, whose experience easily detected the arts and sophistry of the ministers, and whose apparent want of passion gave the semblance of impartiality to his opinions; and Birch, who had been a colonel in the revolutionary army, and was now the roughest, boldest speaker in the house.* To these should be added Meres, Sacheverell, Vaughan, and several others, ready and zealous debaters on every question; but the master spirit, who guided the motions of the whole body, was the earl of Shaftesbury, and to him was occasionally joined the earl of Arlington, who, through his eagerness to humble a successful rival, forgot his obligations to his sovereign, and readily lent his aid to oppose those counsels, in the origination of which he no longer participated. Among them, it was determined to insist on the recal of the English troops serving in the French army; to advise an immediate union with the allies for the purpose of breaking the power of Louis XIV,; to impeach the earl of Danby; and to refuse all pecuniary aid as long as he should retain the office of lord treasurer. Some of these were popular measures; all were calculated to embarrass the court, and might, by leading to a change of administration, place Shaftesbury and Arlington once more at the head of the government.†

Danby, on the other hand, prepared to meet his opponents with a confident anticipation of victory. He had persuaded himself that their success in the former session was owing to the dexterity with which they employed the cry of "no popery," and marshalled in their favour the religious fears and jealousies of the people. He obtained permission of the king to oppose them with their

Of the minister.

* Sir Edward Seymour once reflected on Birch's former occupation, that of a common carrier. "It is true," he replied, "I was once a carrier, and it is well for the gentleman that he was not one too. For if he had, he would never have been any thing else." Burnet, ii. 80. note.

† See Burnet, ii. 80—83, and Temple ii. 309. Temple was employed by the king to expostulate with Arlington.

own weapons, and for this purpose, to employ the whole power of government in putting down every species of sectarianism and dissent, and to rally the cavaliers and the clergy round the throne, by identifying the cause of the church with that of the court. A council was held by appointment at Lambeth; several of the bishops met the lord keeper, the lord treasurer, Lauderdale, and the two secretaries of state; the king's anxiety for the support and prosperity of the establishment was explained; the aid of the prelates and clergy was demanded; and a plan of combined operation was arranged. In a few days the first fruits of the consultation appeared. A proclamation was published, embodying six orders which had recently been made in council, that all natives who had taken orders in the church of Rome, should quit the realm in the space of six weeks, under the penalty of death;* that every subject of the three kingdoms, who presumed to attend at mass, either in the queen's chapel or in any chapel belonging to the foreign ambassadors, should for that offence suffer a year's imprisonment and pay a fine of one hundred marks, of which a third part should be given as a reward to the informer; that all convictions of popish recusants, particularly among the opulent classes, should be brought to a conclusion without delay, and certified into his majesty's exchequer; that any papist, or reputed papist, who should dare to enter the palaces of Whitehall, or of St. James's, or any other place where the court might chance to be, should, if a peer, be committed to the Tower, if under the rank of a peer, to one of the common gaols; and, lastly, that, since all licences for separate places of worship had been recalled, the laws for the suppression of conventicles should be rigorously enforced.†

1675. Jan. 25.

Remonstrance of the duke of York.

By the popular party, this proclamation was ridiculed as a weak and unworthy artifice to blind the eyes of the people. Among the catholics and nonconformists, it created considerable alarm. A deputation of ministers waited on the duke of York, reminded him of his frequent declarations in favour of liberty of conscience, and solicited his protection against the intolerant policy of the cabinet. But James had already remonstrated in vain. He had represented to the king, that such severity to the dissenters was dangerous, because it might goad that numerous and powerful body to resistance; and with respect to catholics, it was ungrateful, on account of their former ser-

* In this and all similar proclamations, Mr. John Haddleston was excepted on account of his services to the king after the battle of Worcester.

† Wilkins, Con. iv, 595. Kennet, 301. Burnet, 253.

vices to his father, and unnecessary, because, few as they were in number, and incapacitated by tests and disqualifications, they possessed not the power, even if they had the will, of injuring the establishment. But Charles, assured of his brother's submission, cared little for his objections: he even prepared for him a more bitter mortification. In virtue of the royal mandate, the bishop of London conducted the princess Mary to church, and conferred on her the rite of confirmation in defiance of the authority of her father.*

Opening of the session. April 13.

At the appointed time, the session was opened with a speech from the throne. The king assured the two houses, that his great object in calling them together was to come to a right understanding with his parliament, and to expose to the world the hollow and wicked designs of those who sought to drive him to a dissolution. But these men would find themselves disappointed. He was neither so weak nor so irresolute as to part with his friends in order to oblige his enemies. In the speech of the lord keeper, the chief novelty was an awkward attempt to justify the late intolerant proclamation. The government, he said, was placed in a most delicate and difficult situation, between the church on one side, and the dissenters and catholics on the other. If the king suspended the execution of the penal laws, he was told that he deserted the cause of the church: if he enforced them, he was reproached with the charge of persecution. But it was better to have some rule than none; otherwise universal toleration, and endless confusion, the necessary consequences of toleration, must ensue. The king had followed the rule laid down by the legislature, and, if any man felt aggrieved by it, he was still at liberty to appeal to the wisdom and equity of parliament, the best judge of the real interests of the nation.

Proceedings in the house of commons. April 17. April 21.

Of the plan devised at Lambeth, that part which regarded the suppression of popery was entrusted to the friends of the minister in the house of commons, where, to such a proposal, no opposition could be expected. Resolutions were accordingly voted; committees were appointed, and bills were introduced. Still nothing was done. That zeal for orthodoxy, which had formerly animated the members, seemed to be extinct, and not one of the bills proceeded any farther than the second reading. The fact was, that the popular leaders cared little for the suppression of popery, when their opponents

* James, i. 499, 500. Macpherson (i. 75. 81. 4.) postpones the confirmation of the princess to the following year.
† L. Journ. xi. 653. 4.

could claim the chief merit of the measure.* Their efforts were directed to the pursuit of their own objects. 1. They obtained a renewal of the address to remove Lauderdale from office; but Charles was now furnished with a ready answer,—that the words laid to his charge, if spoken at all, were spoken before the last act of grace, and must therefore be covered by it; and, that the act of the Scottish parliament for the levy of the army necessarily arose out of a preceding act in 1663, when Lauderdale was not the royal commissioner.† 2. Lord William Russel called the attention of the house to the conduct of the lord treasurer; and seven articles of impeachment were exhibited against him, charging him with improper use of the authority of his office, to deceive the king, enrich his own family, and squander the royal treasure. There appears to have been little ground for any of these charges: but Danby did not rely solely on his innocence. He was careful to purchase adherents in the house, not after the manner of his predecessors, by offering presents to the more eminent speakers, but by seeking out silent votes, which might be procured at a lower price, and therefore in greater number. The articles against him were debated separately, and each in its turn was rejected.‡ 3. Besides Danby, the Dutch and Spanish ambassadors had also been lavish of money. Their object was to procure the revocation of the English regiments in the French army; and their efforts were zealously aided by the popular party. To the address, for this purpose presented by the house, Charles replied, that the English corps was inconsiderable in point of number; and he would take care that it should not be recruited. More than this he could not do: to recal it would be inconsistent with his honour. This answer provoked a most vehement debate in a committee of

April 23.

April 26.

May 3.

May 8.

* Com. Journ. Ap. 16, 17. 21. May 27. Marvell, i. 217. 237. 240. "We were confident," says Coleman, "that the ministers having turned their faces, the parliament would do so too, and still be against them, and be as little for persecution then, as they were for popery before." Com. Journ. ix. 527.

† Burnet disgraced himself on this occasion. Out of ill humour at the treatment which he had received from Lauderdale, he revealed to his enemies the purport of a confidential conversation with that nobleman, and repeated it, though apparently with reluctance, at the bar of the house of commons. "The truth is," he says of himself, "I had been above a year in perpetual agitation, and was not calm or cool enough to reflect on my conduct as I ought to have done." By this treachery he lost the favour of the king, and also of the duke of York, who had previously protected him from the resentment of Lauderdale. Burnet, ii. 63—5. Marvell, i. 221.

‡ Com. Journ. Ap. 26, 27, 30. May 3. Parl. Hist. iv. 688—695. Burnet, ii. 69. Marvell, i. 225. 7. 426. If we may believe Coleman, 200,000*l.* was spent in bribes by the different parties during this session. Com. Journ. ix. 528.

the whole house. On one side it was maintained that the English amounted to eight thousand men, that they formed the chief force in the army commanded by Turenne, and that to their gallantry were owing most of the advantages which had been gained by that general. On the other, it was contended that they did not exceed two thousand horse and foot; that, on the conclusion of the peace with the States, it was naturally understood that they were not to be recalled; and that a much greater number of British subjects was actually serving in the Dutch army under the prince of Orange. On a division, the tellers were charged with negligence or fraud; instantly the leaders who sat on the lowest benches sprung to the table, and the other members on each side crowded to their support. Lord Cavendish and Sir John Hanmer distinguished themselves by their violennce; and epithets of insult, with threats of defiance, were reciprocally exchanged. The tumult had lasted half an hour when the speaker, without asking permission, took possession of the chair: the mace, after some resistance, was again placed on the table; the members resumed their seats; and, on the motion of Sir Thomas Lee, a promise was given by each in his turn, that he would take no notice out of doors of what had happened within. The discussion of the question was again brought forward. On one occasion the ministers obtained the majority by a single voice; on another they were defeated by the casting vote of the speaker. A new address was ordered; but there is no evidence that it was ever presented.* May 10. Mar. 11. May 20. June 2.

The more important part of the ministerial project, the panacea for all the evils of the nation, was reserved for the house of lords, in which the court was assured of an overwhelming majority. This was introduced in the shape of a test to be taken by all members of parliament; by privy counsellors, magistrates, and all persons holding office under the crown. The test itself was made up of the several oaths and declarations which, by successive acts of parliament after the restoration, had been imposed upon members of corporations, officers of the army, and ministers of the church. These acts, however, had been passed at a time when the nation had not recovered from that phrenzy of loyalty into which it had been thrown by the return of the king: now the minds of men had been allowed leisure to cool; an intention of establishing arbitrary power Non-resisting test in the house of lords.

* Com. Journ. May 8. 10, 11. 20. June, 2. Parl. Hist. iv. 699—709. Marvell, ii. 232. Cavendish and Newport, in consequence of their behaviour on this occasion, were forbidden the court. Ib. 526.

had, by report, been attributed to the king; and the doctrines of the year forty-one had begun to resume their former influence. That protection and allegiance are correlative, and that the law which secures the rights of the people sanctions resistance to the invasion of those rights, were principles openly inculcated and maintained; and it was to check their diffusion, and to remove their supporters from parliament and office, that the non-resisting test had been devised. The king interested himself warmly in its success. He attended daily, standing as a spectator at the fire-side; but his presence, though it might animate the champions of the court, did not dismay or silence their opponents.* The debates occupied seventeen days, often from an early hour till eight in the evening, sometimes till midnight. It is acknowledged, that on no former occasion had such a display of eloquence and ability been exhibited in that house; never had any question been discussed with so much obstinacy and address. The lords who chiefly distinguished themselves by their advocacy of the measure, were the lord treasurer, the lord keeper, and the bishops Morley and Ward; and to these were opposed the acknowledged leaders of the popular party, with two catholic peers, the marquess of Winchester and the lord Petre.† The former argued that the principle of the test had already been recognized in the acts for corporations, the militia, and the church; that the only object of the present bill was to render that principle more generally useful by extending its operation; that it would thus offer a sufficient security both to church and state; and at the same time a security so "moderate," that it could not be refused by any but those who cherished seditious and antimonarchical sentiments; and who, on that very account, ought not to be trusted with the office of making or of administering the laws. Their opponents replied, that the question was now altered; that while the test was confined to persons in inferior situations, there remained the higher court of parliament to explain its meaning, and control its application: but that now it was intended to bind the parliament itself, and to make all ranks of men dependent on the pleasure of the sovereign. Such a test invested both the crown and mitre with a divine right, which could

* "If not the sun, the fire-side was always in their faces." Marvell, i. 516.

† In Macpherson's extracts, we are told that when Shaftesbury applied to the catholic peers for their support, some replied that they dared not oppose the king. It might provoke him to execute the penal laws against them, perhaps to seek their exclusion from parliament, in which they knew from experience that Shaftesbury's party would concur. "He swore that he and his friends never would, and wished that his tongue might cleave to the roof of his mouth, if he ever spoke for so unjust a thing." Macph. i. 80.

not be controlled by any human power, and amounted in effect to a "dissettlement of the whole birthright of England."

When it came to be debated in its several parts, the opposition lords objected that the first clause, which pronounced it "unlawful, on any pretence whatsoever, to take up arms against the king," was calculated to provoke doubts and questions, which a wise administration would seek to prevent. What, it might be asked, was the distinction between passive obedience and the unlawfulness of resistance in any circumstances whatsoever; where the difference between an absolute government and a limited monarchy, if there were no boundary to submission under either? Against the second, that it "is traitorous to take up arms by the king's authority against his person," (an allusion to the language of the parliament during the civil war,) they argued, that circumstances might occur, as in the case of Henry VI., in which such taking up of arms might tend to the benefit and safety of the sovereign; and the third, which extended the same doctrine to the employment of force against persons commissioned by the crown, they described as leading to the most oppressive and alarming result. It specified neither the object of the commission, nor the qualification of the commissioner; but made it treason to oppose with force the unlawful aggression not only of sheriffs and magistrates, but even of naval and military officers; for all these were armed with commissions from the king, and might pretend to act in "pursuance of such commission." Debate on the declaration.

The great struggle, however, remained. The oath was at first conceived in the following words: "I do swear that I will not endeavour the alteration of the government either in church or state." The practice of multiplying oaths was represented as impious, by holding out temptations to perjury, and as useless, because oaths bind only men of honourable and virtuous minds, from whom sedition or rebellion is not to be apprehended. But to this oath in particular it was objected, that if it were made a necessary qualification for a seat in parliament, it would operate to the disherison both of the people, and the peerage: of the people, by trenching on their right of entrusting to men of their own choice the power of imposing the public taxes; and of the peerage, by depriving the peers, who should refuse to take it, of the right to which they were born of sitting in that house, and taking a part in the discussion of all subjects debated within its walls. The latter part of this objection was urged with so much vehemence that the ministers deemed it prudent to yield. The lord treasurer proposed a resolution, which, at the suggestion of the duke of York, was changed Debate on the oath.

into a standing order of the house, that "no oath should ever be imposed, by bill or otherwise, the refusal of which should deprive any peer of his place or vote in parliament, or of liberty of debate therein."*

Objections. When the house proceeded to consider the form of the proposed oath, the bishops were exposed to the profane jests and irreverent sarcasms of the duke of Buckingham, and called upon to answer several searching and vexatious inquiries by the dissenting peers. What, it was asked, was this episcopal government to which the subject had now to swear allegiance? From whom did the prelates profess to derive their powers? They replied, that the priesthood, and the powers of the priesthood, came to them from Christ, the license to exercise those powers from the civil magistrate. "But," exclaimed the lord Wharton, "excommunication is one of those powers: do you derive from the sovereign the license to excommunicate the sovereign?" This, it was answered, was to suppose an extreme case which had never arrived, and probably never would arrive. Others observed, that the oath provided only for "the government," or discipline of the church: why were its doctrines omitted? The government of the church of Rome was episcopal: no catholic would object to take the oath, even if at the same time he should meditate the subversion of one church, and the establishment of the other. This objection alarmed the lord treasurer, and he offered to add the words "the protestant religion." "But what," asked the earl of Shaftesbury, "is the protestant religion? Where are its boundaries? How are they to be ascertained?" The bishop of Winchester replied, that the protestant religion was comprehended in the thirty-nine articles, the liturgy, the catechism, the canons, and the homilies. His opponent again inquired, whether every thing contained in these five books were part and parcel of the protestant religion? If so, then it must be contended that their authors were infallible, and had laid down nothing

* L. Journ. xii. 673. Macph. i. 81. In lieu of the oath proposed by the bill, and all other tests to be taken by members of parliament, the following was moved as an amendment by the marquess of Winchester: "I swear that I will never by threats, injunctions, promises, advantages, or invitations, by or from any person whatsoever, or through the hope or prospect of any gift, place, office or benefit whatsoever, give my vote otherwise than according to my opinion and conscience, as I shall be truly and really persuaded, upon the debate of any business in parliament." Such an oath would probably have been as unpalatable to the opponents as to the adherents of the minister. It was, however, seconded and supported; and the odium of rejecting it was left to the lord keeper, who contended, that the hope of reward was not incompatible with integrity of conduct; and was sometimes necessary to stimulate the indolent and the indifferent. Parl. Hist. iv. App. lxii.

which ought to be rejected or reformed. If not, then the objection recurred; the precise limits of the protestant religion were unknown, and no man could conscientiously bind himself by oath never to alter a system, with the real extent of which he was unacquainted. To escape from the difficulty, the words, "now established by law in the church of England," were added.

From the government of the church, the debate proceeded to the government in the state. Here the opponents of the measure renewed the struggle with equal obstinacy. Were the civil institutions of the country so perfect as to admit of no improvement? Could no combination of circumstances ever occur to make some alteration expedient? Let the house give its sanction to this part of the oath, and the chief privilege of the peerage was gone for ever. They might assemble and vote supplies; but to legislate on any subject connected with the government of the country would be a violation of the test. They must abandon their duty as a part of the legislature, or perform it under the guilt of perjury.

The test as amended in the committee.

At length, after a variety of amendments and adjournments, divisions and protests, the declaration and oath were passed in the committee, in the following improved form. "I, A. B. do declare that it is not lawful, on any pretence whatsoever, to take up arms against the king; and I do abhor the traitorous position of taking arms by his authority against his person or against those that are commissioned by him according to law, in time of rebellion and war, and acting in pursuance of such commission. I, A. B. do swear that I will not endeavour any alteration of the protestant religion now established by law in the church of England, nor will I endeavour any alteration in the government, in church or state, as it is by law established." There only remained to determine the penalty of a refusal to take the test, which, in defiance of all the efforts of the opposition, was fixed at a fine of 500*l*., and incapacity to hold office or commission under the crown. But, as this incapacity did not affect the right of sitting in either house, the members of both were made subject to a repetition of the fine in every succeeding parliament.*

* For this important debate, see the Lords' Journals, xii 665. 9. 671. 3. 4. 7. 682. Parl. Hist. iv. 7. 14—721. App. xviii.—xlvii. Burnet, ii. 71—4. Marvell, i. 510—8. North, 62. The test was originally devised by Clarendon; but his son, who on the death of the exile had succeeded to the title, constantly opposed it. His name is in all the protests entered in the journals; and the king was so displeased with his conduct, that he deprived him of his place of chamberlain to the queen. Marvell, i. 227.

Dispute respecting appeals.

To retard the progress of the bill, had been the great object of the country party in the house of lords: to throw it out was to be the achievement of their associates in that of the commons. But even there much had lately happened to shake their confidence in their own power; the fate of the impeachment of Danby, and the rejection of a bill to prevent members from accepting places under government, had convinced them that the ministers could command the votes of many secret, but faithful, adherents. To relieve them from their apprehensions, an event occurred which, if it were not, as is probable, originally contrived, was at least most dexterously improved, to suspend the course of ordinary business in both houses, and to provoke a dissolution, or at least a prorogation, of parliament. At all times it had been customary to appeal by writ of error from the decisions in the courts of law to the house of lords, as the supreme judicature in the nation, and, during the reign of James I. similar proceedings had been introduced relative to judgments in chancery. It happened that at this period the defendants in three of these appeals to the justice of the lords, possessed seats in the house of commons; and when notice to appear was served on sir John Fagg, one of the three, the house voted such a notice a breach of privilege. The lords insisted on their claim. Theirs was the only court to decide on writs of error or appeal; they sate only at the same time with the house of commons; and therefore, if they could not hear causes in which the members of that house were parties, a denial of justice must follow. The commons disputed the inference—it might be a suspension, but not a denial of justice—the appeal might be heard, when the parties were no longer entitled to the privilege of parliament. Nothing could be weaker than such reasoning: but they compensated for its weakness by the vigour of their conduct. They committed to the Tower Shirley and Stoughton, two of the appellants; resolved that to prosecute in the house of lords any cause against a member of their house was a breach of privilege; declared that no appeal lay from the chancery to any other tribunal; and voted that four barristers, who, by order of the lords, had pleaded before them in one of the appeals, should be taken into custody. This last insult set the higher house in a flame; and the opponents of the test, whose real aim was to foment the quarrel, were the foremost to defend the rights of the peerage. The captive barristers were rescued by the usher of the black rod from the grasp of the serjeant at arms, who suddenly absconded, that he might es-

May 5.

May 12.
May 15.
May 28.
June 1.

June 2.

cape the punishment with which the house of commons had determined to visit his pusillanimity or negligence. Two days afterwards, the speaker, as he passed through Westminster hall, arrested Pemberton, one of the barristers, and took his prisoner with him to his chamber;* the new serjeant at arms brought the other three out of the court of king's bench, and all four were conveyed to the Tower. The house of lords was not slow to undertake their protection. A message was sent to the lieutenant to set them at liberty, and, when he demurred, four writs of habeas corpus were forwarded by the lord keeper, commanding him to produce his prisoners before the king in his high court of parliament. The lieutenant was perplexed. He consulted the house of commons, which forbad him to obey the writs; and, in this choice of evils, he preferred as the less dangerous to incur the displeasure of the lords.† June 4. June 7. June 8.

During the altercation, Charles had addressed both houses in the tone, and with the dignity, of a master. They were, he told them, the dupes of men, enemies to him and to the church of England: the authors of the quarrel sought not the preservation of privilege, but the dissolution of parliament: let the two houses confer coolly and dispassionately together: they would easily discover the means of reconciliation, or, if they did not, he would judge impartially between them, for he could not sit a silent spectator of a dispute which threatened to spread itself through the nation, for a mere question of privilege. But his advice was disregarded: the irritation of the parties was nourished by repeated acts of defiance; and on the fourth day, the king came to the house of lords, and put an end to the session.‡ Prorogation. June 5. June 9.

The short duration of the recess, and the assurance that the parliament should meet again in October, led to a suspicion that the government was reduced to the lowest state of pecuniary distress; Another session. Oct. 13.

* Burnet (but to Burnet alone little credit is due,) tells us, that Seymour the Speaker was "the most immoral and impious man of the age, the unjustest and blackest man that lived in his time." Of his pride, an instance is related by lord Dorchester, that when his carriage broke down near Charing-cross, he took possession of the first gentleman's carriage that came by, and turned out the owner, telling him, it was more proper that he, than the speaker of the house of commons, should walk in the street. Burnet, ii. 70, note.

† L. Journ, 679, 80. 91. 4. 8. 700. 6. 10. 13. 16. 18. 720. 3. 5. 7. Com. Journ. May 5. 15. 28; June 1. 4. 8. Marvell, i. 517. Burnet, ii. 75. Parl. Hist. iv. 721. St. Trials, vi. 1121.

* Com. Journals, June 5. 9. L. Journ. 725. 9.

and the leaders of the country party resolved to persist in their plan of opposing a supply, with the hope of provoking a dissolution of the administration, or of the parliament. The first would offer to their ambition the offices held by their opponents, the latter would be succeeded by a general election, in which they promised themselves a decided superiority. The houses accordingly met: the king solicited the aid of his people to pay off the anticipations on the revenue, amounting to 800,000*l.*, and to put the navy in a condition
Oct. 19. to maintain the dignity of the British flag.* In the committee on the royal speech, the ministers obtained at first the majority by the casting vote of the chairman. But on a second division they were defeated by a small majority, and the house refused to entertain the question of supply on account of anticipations. This was a severe disappointment: yet Danby did not despond: a long session would afford him the opportunity of appealing to the ambition and cupidity of the members; and it was possible that several might oppose the court now, with the sole view of attaining a higher price for their future services. The house proceeded with the public business. It was voted that 400,000*l.* per annum should be taken from the customs, and applied to the maintenance of the navy; that a sum of 300,000*l.* should be raised and placed in the chamber of London, and be appropriated to the building of twenty ships of war; that papists should be disabled from sitting in either house of parliament; that a bill should be introduced to recal the English forces serving in the French army; and that a remedy should be devised to prevent bribery in elections. In the divisions which these questions produced, the balance inclined alternately in favour of the opposite parties; and the majorities were so trifling, that it was impossible to foresee which would ultimately obtain the superiority.† In the house of lords, Shirley hastened to revive the question of his appeal. Each party sought to cast on the other the odium of the measure; but the subsequent proceedings shew that the appellant acted under the advice, or by the instigation of Shaftesbury and his friends. In the debate, which was continued by adjournment for several days, that nobleman displayed extraordinary eloquence and warmth; and obtained, in defiance of the
Nov. 14. ministers and the prelates, the appointment of a day for the hearing of the appeal. It might be that, as he

Renewal of the contest between the houses.

* The reader is aware that it was the custom to "anticipate," that is, to mortgage, certain branches of the revenue for the payment of the capital and interest of loans of money.

† Com. Journals, Oct. 19. Parl. Hist. iv. 751—7. Marvell, i. 252—68.

pretended, he sought to establish beyond dispute the claim of the peerage; but he had moreover a private and more interested motive. He was the author of a pamphlet recently published, under the title of "A Letter from a Person of Quality to a Friend in the Country," purporting to detail the debate in the last session on the question of the non-resisting test. This tract the house voted "a lying, scandalous, and and seditious libel:" it was ordered to be burnt by the hand of the common hangman, and a committee was appointed to discover the author, printer, and publisher. Under such circumstances, the renewal of the quarrel between the houses offered him the best shelter from prosecution. In the commons, attempts were made to revive the violent votes of the last session against the claim of the peers; but they were constantly defeated by the court party, who on this subject commanded a large majority, and procured a vote Nov. 19. for a conference, "to preserve a good understanding between the two houses." In that meeting they suggested that, according to the royal advice, all subjects of national interest should take precedence of the question of judicature; but Shaftesbury opposed the expedient under different pretexts, and a resolution was carried to hear the appeal on the following morning. The resentment of the commons could no longer be restrained; in one house the obnoxious votes were revived;* in the other, lord Mohun moved an address for the dissolution of the parlia- Nov. 20. ment. Thus a new subject of contention was raised, which called forth the whole strength of the two parties. The popular leaders supported the motion, on the ground that frequent parliaments were required by the ancient constitution of the kingdom; that the existing house of commons, chosen in 1661, did not in fact represent the sense of the nation in 1675; and that the pretensions which it set forth, the violence which it displayed, the superiority which it assumed, had led to a state of things, in which the parliament, instead of proving a national benefit, had become a useless incumbrance; but that with a new house, the real representatives of the people, no cause of dissension would exist; the restoration of harmony would enable parliament to provide for every interest, to grant supplies to the crown, to establish securities for the church, to extend indulgence to dissenters, and to secure to the catholics the possession of their property and hereditary honours. On the other hand, the minister and his adherents contended, that a dissolution was both unnecessary and dangerous. As former dissensions between the houses had been

* Marvell, i. 270, 1. Com. Journ. 18, 19. L. Journ. xiii. 29.

healed, so the present was not without its remedy. Whatever might be the faults of the house of commons, the civil and religious principles of its members had been proved. A new election might introduce new men, hostile both to the church and the throne; antimonarchical doctrines might regain the ascendancy; and the miseries of the year forty-one might be renewed. Hitherto the duke of York, however he might disapprove, had deemed it his duty to abstain from all open opposition to the measures of government; on this occasion he gave his powerful aid to lord Mohun; and his example drew after it the support of his adherents, and of the catholic peers. The minister was alarmed; his adversaries outnumbered his followers in the house; and it was only through the aid of proxies that he was able to obtain the small majority of two votes. The consequence was an
Nov. 22. immediate prorogation; not for a short space, after the usual manner, but for the unprecedented duration of fifteen months.*

Account of Luzancy. During this session an adventurer made his appearance on the public stage, the prototype of the celebrated Titus Oates. He was a foreigner, the son of Beauchateau, an actress in Paris, and had passed, with little credit for truth or integrity, through the several situations of usher in a school, servant to a bishop, inmate in a monastery, and companion to an itinerant missionary. A forgery, which he committed at Montdidier, in Picardy, compelled him to flee from the pursuit of justice; and he arrived in London, under a feigned name, without money and without friends. But his ingenuity did not desert him. He called himself Hyppolite du Chastelet de Luzancy; he professed
July 1. an anxious desire to conform to the church of England; and in the pulpit at the Savoy, he read his abjuration, and delivered a discourse, stating the grounds of his conversion. Instantly the French jesuit (so he was now styled) became an object of interest to the zealous and the charitable: contributions flowed to him from numerous quarters; and his only anxiety was to secure the means of sup-
Oct. 4. port after the first excitement, which he had caused, should have died away. About the middle of the session, he gave information to some of the popular leaders, that, about a month before, father St. Germain, who, for greater effect, was described as confessor to the duchess of

* L. Journ. xiii. 33. According to the list preserved in Oldmixon, the contents were forty-one temporal peers and seven proxies; the non-contents, twenty-one temporal peers, thirteen bishops, and sixteen proxies. Oldmix. 594.

York, had surprised him in his lodgings, and, holding a poniard to his breast, had compelled him with the threat of instant death, to sign a recantation and a promise to return to his native country. Neither the improbability of the tale, nor the time that had been suffered to elapse, seems to have awakened suspicion. Lord Hollis communicated Nov. 8. the important intelligence to the king in the house of lords; lord Russel introduced it to the notice of the house of commons; and the parliament, the court, the city, the country, resounded with cries of astonishment at the insolence of the papists. The king published a proclamation for the arrest of St. Germain, wherever he might be found; the lords brought in a bill for the enconragement of monks and friars in foreign parts to leave their convents, and embrace the reformed faith; and the commons ordered the lord chief justice to issue his warrant for the apprehension of all catholic priests; recommended Luzancy to the protection and bounty of the king, and passed a bill for the exclusion of papists from the two houses of parliament, and from the court. The convert was examined before the privy council and a committee of the house. He persisted in his former tale; he added, that he had learned from some French merchants, that in a short time protestant blood would flow through the streets of London, and from St. Germain that the king was at heart a catholic, that the declaration of indulgence had been framed for the purpose of introducing popery, and that there was an infinite number of priests and jesuits in London, who did great service to God. But the minds of men began to cool. His additional information, which was merely a repetition of the idle reports circulated in the coffee-houses, did not serve to raise his credit for veracity; and when he was told to produce his witnesses, the absence of some, and the utter worthlessness of others, shook the faith of his supporters. About the same time, Du Maresque, a French clergyman of the reformed church, published a history of his adventures in France; and soon afterwards a pamphlet appeared, detailing the particulars of his life in the metropolis, and refuting his charge against St. Germain: and, though Du Maresque was severely censured by the bishop of London, and the distributor of the pamphlet threatened by the privy council, the prosecution of the inquiry was at first suspended, and, for obvious reasons, never afterwards resumed.*

* Com. Journ. Nov. 8. L. Journ. xiii. 21. Parl. Hist. 780. Marvell, i. 265, 6. Reresby, 29—31. Wood, Ath. Oxon. iv. par. ii. coll. 350, 1. Compton, the new bishop of London, and the "great patron of converts from popery," (Burnet, ii. 88.) ordained Lauzancy about Christmas, and sent him to Ox-

Transactions in Scotland.

I shall conclude this chapter with a few notices respecting the transactions in the two kingdoms of Scotland and Ireland. I. In Scotland the chief attention of the government was devoted to the difficult task of maintaining the episcopal authority, in opposition to the religious feelings of the people. That Charles disapproved of the severities, which had driven the western covenanters into rebellion, cannot be doubted, and it was observed that, in proportion as the influence of Clarendon declined, more lenient measures were recommended to the Scottish council. The punishment for the refusal of the declaration was restricted to the imprisonment of the offender; the regular troops, which had been so actively employed in the execution of the penal laws, were disbanded; archbishop Sharp received an order to attend to the spiritual concerns of his diocese; and Rothes was deprived of his high office of royal commissioner; though, to console his wounded feelings, he obtained in return the chancellorship for life. The earl of Tweedale succeeded him as head of the government; but Lauderdale, by his office of secretary of state, possessed superior influence with the sovereign. Both of these noblemen were presbyterians by principle; but they disregarded the nice distinctions of the theologians, and persuaded themselves that by mutual concession the two parties might be brought to coalesce. Their object, therefore, was to maintain the episcopal establishment, but at the same time to offer to its adversaries such terms as might induce them to desist from all active opposition. To the covenanters in the west it was proposed, that the government should abstain from prosecution for past offences, provided they would bind themselves to keep the peace, under the penalty of forfeiting one year's rent of their respective estates. But here a theological question arose. What, it was asked, did the council understand by keeping the peace? "To perform the duties of righteousness commanded by the law of God?" This was an obligation incumbent on all Christians. Not to violate the laws, which had been made in opposition to the covenant? Such an engagement was unlawful and anti-christian. That the latter was the real meaning, could not be doubted: if many

1667. March 12.

Aug. 10.

Oct. 10.

ford, where, on January 27th, he was admitted master of arts, at the recommendation of Ormond, the chancellor. While he remained in Oxford, a transaction of a swindling description brought his name before a court of justice: soon afterwards the nation was thrown into a ferment by the pretended discoveries of Titus Oates; and Lauzancy, "by favour of the bishop of London," was admitted, "ad pres. regis," vicar of Dover-court in Essex, 18th Dec. 1678. Ibid.

submitted, a greater number refused to subscribe the bonds; and Tweedale, after a short trial, abandoned a measure, which seemed more likely to produce disturbance than tranquillity.*

Attempt on the life of Sharp.

About this time happened an event which revived the angry passions of the two parties. Among the men, who had fought for the covenant at Rullion Green, was "a youth of much zeal and piety," named James Mitchell. After the defeat, he brooded over the sufferings of his brethren, till he had wound up his mind to the highest pitch of enthusiasm; and believed that he felt a call from Heaven to avenge the blood of the martyrs on the apostate and persecuting prelate, archbishop Sharp. It was a little after mid-day: the archbishop's carriage drove to the door, and Mitchell took his station with a loaded pistol in his hand. Sharp came from the house, followed by Honeyman, bishop of Orkney. The first had already seated himself, when the assassin discharged his pistol; but at the very moment Honeyman raised his arm to enter the carriage, and received the ball in his wrist. To the cry that a man was killed, a voice replied, "It is only a bishop." Mitchell crossed the street, walked quietly away, changed his coat, and mixed again with the crowd. The council offered a tempting reward for the apprehension of the assassin; but six years elapsed before he was discovered.†

1668. July 11.

Indulgence to ejected ministers.

This daring outrage did not, however, provoke Tweedale to recede from his purpose. He still hoped to win by conciliation, where he despaired of prevailing by severity. He made to the ejected ministers an offer called, "the indulgence," that they might enter on their former churches, if these were vacant, or on any other at the nomination of the patron, enjoy the manse and glebe without stipulation, and in addition receive the annual stipend, provided they would accept collation from the bishop, and attend the presbyteries and synods. The moderation of the proposal alarmed the more zealous, or more fanatic of the covenanters; they pronounced it a snare for the consciences of the unwary: besides the consent of the patron, a call from the parish was necessary for the lawful exercise of the ministry; and, moreover, to accept any ecclesiastical office at the invitation of the civil power,

1669. June 7.

* Wodrow, 277, 8. Kirkton, 266. 272. Burnet, i. 414. 420. Lamont, 252.

† Wodrow, 292. Kirkton, 278. Burnet, i. 481. It was urged in defence of Mitchell, that he acted like Phineas, by divine impulse. Annand, dean of Edinburgh, replied, that could not be, otherwise he would have succeeded in the attempt. To evade this argument, it was remarked, that "Israel failed against the city of Ai, because there was an Achan in the camp, and, alas! there are many Achans in the camp of our Israel." Kirkton, 366, note.

was a backsliding towards Erastianism. In defiance of this reasoning, three-and-forty ministers accepted the offer of the government, but they soon discovered that, at the same time, they had forfeited the confidence of the people. They no longer preached with the fervid eloquence of men suffering persecution. Their exhortations to the practice of virtue and godliness appeared dull and lifeless, in comparison with the fierce invectives which they formerly poured forth against apostates and oppressors. It was inferred that the Spirit of God had abandoned them; that they were become as "dumb dogs that could not bark;" and their churches were deserted for the ministry of those whose fanatical language harmonized better with the excited feelings of their hearers.*

Proceedings in parliament. Oct. 19.

Tweedale hitherto had acted by the advice, and been supported by the influence of Lauderdale. At length that nobleman came himself to Scotland, and held a parliament, with the title of royal commissioner. 1. Its first act was to enable the king to appoint commissioners, authorised to treat with certain commissioners from England, respecting an union of the two kingdoms; a wise and beneficial measure, which Charles had much at heart, but which he was never able to accomplish. In England, it was opposed through distrust of the royal motives; in Scotland, through fear that it would be accompanied with the loss of national independence. 2. It had been discovered, that the indulgence so lately granted was a violation of the laws for the establishment of episcopacy; and, to secure it from disturbance, and its authors from prosecution, the act of allegiance was converted into an act of unqualified supremacy, declaring the external government of the church an inherent right of the crown, and giving the force of law to all acts, orders, and constitutions respecting that government, or ecclesiastical meetings, or the matters to be proposed and determined in such meetings, provided those acts, orders, and constitutions, were recorded and published by the lords of the privy council. 3. When the regular army was disbanded, it had been deemed prudent to raise the militia of horse and foot, voted in the parliament of 1663: and the men had been embodied and armed in all but the western counties, where it would have been madness to put weapons into the hands of enthusiasts, ready, at the first call of their leaders, to break into rebellion. It was now not only declared that the right to levy and command the army resided in the crown, but moreover enacted, that the forces so levied should march into any part of the king's dominions in pursuance of orders trans-

* Wodrow, 304. Kirkton, 288. Burnet, i. 488.

mitted to them from the privy council. These two acts excited surprise both in Scotland and England. By the first every vestige of the independence of the church was swept away: by the second, the king was placed at the head of a standing army of twenty thousand men, bound to execute his orders, and to march into any part of his dominions. It might, indeed, be doubted whether these words could be so construed as to extend to England, where the Scottish parliament could claim no authority, but the leaders of the opposition in England chose to interpret them in that sense, and to make them on that account one ground of their address for the removal of Lauderdale from the councils and the presence of the sovereign.*

Act against field-conventicles.

Though the recent act of supremacy shocked the religious feelings of every true son of the kirk, the government persisted in its former plan of conciliation. Burnet, who had opposed the indulgence, because it gave jurisdiction without collation from the bishop, was compelled by threats to resign the archiepiscopal see of Glasgow; Leighton, a prelate of more moderate principles, succeeded in his place; and several ministers were again admitted by "indulgence" into vacant churches. Still the obstinacy of the majority refused every proposal; the conventicles grew more numerous; and the regular curates were exposed to so many insults and injuries from the zeal of their opponents, that those who obeyed, were said to suffer no less than those who transgressed, the law. The council determined to combine severity with indulgence; and, while they observed the terms which had been granted to the more moderate, condemned to imprisonment the ministers who had preached at illegal assemblies, and exacted fines from the persons who had afforded the opportunity of committing the offence. But field-conventicles became a special object of alarm. From the stubborn and enthusiastic character of the men who frequented them, they were considered as nurseries of sedition and treason; and, in the next session of parliament, Lauderdale asked for some legal provision to abate so dangerous a practice. It was enacted that every unauthorised meeting for religious worship, even in a private house, should be deemed a field-conventicle, if any of the hearers stood in the open air; and that every minister, who preached or prayed on any such occasion, during the three following years, should incur the forfeiture of his property, and the punishment of death. The covenant-

1670. July 28.

* Wodrow, 309; App. No. 35. Kirkton, 301. 3. Lamont, 267. Burnet, i. 492, 4, 5.

ers exclaimed loudly against the cruelty of the enactment; though such complaint came with less grace from men, who had formerly demanded and enforced laws of still greater inhumanity against the professors of the catholic faith. The sequel, however, showed that the measure was not only inhuman, it was also impolitic. It did not put down the field-conventicles, but it changed them into conventicles of armed men.*

Attempt at "comprehension." Aug. 9.

Before the terror, excited by this act, had subsided, the commissioner, with the aid of Leighton, who on the resignation of Burnet had been translated to Glasgow, made an attempt to restore tranquillity by "a comprehension" of the dissenting ministers. The sole condition required was, that they should attend presbyteries as they were established before the year 1638; and to make this the less objectionable, it was offered that the bishops should waive their claim of a negative voice, and that all who pleased should be at liberty to protest against it. But many saw, or thought that they saw, even in this proposal, a conspiracy to undermine the rights of the kirk. In a few years a new race of ministers would succeed, less aware of the arts of their enemies, and less habituated to contest the authority of the bishops: those prelates would gradually resume their claims, and the presidents would ultimately become the masters of their respective presbyteries. It was therefore replied, that such assemblies could bear no resemblance to those which existed before the year 1638. They had no power of the keys, no ordination, no jurisdiction. The bishop would be bishop still, though he should abstain from the exercise of his negative voice. To assent to such terms, would be an apostacy from the principles of the kirk, — "an homologation of episcopacy."†

The second indulgence. 1672. April.

The religious dissensions continued, and the ministers and their hearers were occasionally imprisoned and fined for their violations of the law. In 1672, Lauderdale returned to Scotland with the title of duke, and accompanied by the countess of Dysart, whom he had recently married. She had long been reputed his mistress;‡ and has been described as a proud, rapacious, and despotic woman, possessing unlimited dominion

* Kirkton, 301. 5. Wodrow, 329; App. p. 130. Burnet, i. 590. Salmon, Examin. 586.

† Wodrow, 335, App. p. 132, 3. Kirkton, 296. Burnet, i. 476. 503. 513.

‡ In a suppressed passage in Burnet, that writer says: "I was in great doubt whether it was fit for me to see Lauderdale's mistress. Sir Robert Murray put an end to that. For he assured me there was nothing in that commerce between them besides a vast fondness." i. 518.

over the mind of her husband, and making him the obsequious minister of her passions. It was intended that a second indulgence should be granted in Scotland, to correspond with the celebrated declaration which had been issued in England. But Lauderdale previously held a short session of parliament, in which, to prevent the succession of ministers in the kirk, severe punishments were enacted against the ordainers and the ordained, and the duration of the act against field-conventicles was prolonged for three additional years. At last he determined to publish the instrument which for months had been expected, by many with hope, by more with distrust. It named about eighty ejected ministers; ordered them to repair to certain churches, and gave them liberty to exercise all the duties of their office within the limits of their respective parishes, but with a severe injunction to abstain from all religious exercises in any other district. The consequence was a schism in the body, which was not easily closed. About one-fourth of the ministers named in the indulgence refused to obey, and were confined by order of council in particular places; the rest accepted the churches which had been allotted to them, having previously given their testimony against the Erastianism of the measure. Its framers had reason to be satisfied. The more opulent of the covenanters attended the service of the indulged ministers, and the number of conventicles was diminished.* Sep. 3.

Opposition in parliament.

During this protracted struggle between the government and its religious opponents, scarcely a murmur of disapprobation had been heard in the Scottish parliament. It seemed as if Charles, at the restoration, had ascended a despotic throne, and the supreme council was of no other use than to record the edicts of the sovereign. The consequence was, that the officers of government extended and abused their authority; every department was filled with the relatives and dependents of the commissioner; and these made it their chief object to enrich themselves at the expense of the country. But that spirit of resistance, which had so obstinately and successfully warred with the advocates of the court in the parliament of England, aroused, at length, a similar spirit in that of Scotland; and a plan of opposition, unknown to Lauderdale, was carefully

* Wodrow, 351. Kirkton, 315, 326. 334. Burnet gives himself out as the deviser of this plan, i. 520. Lauderdale had 16,000*l.* allowed him for his outfit, as chief governor, with a salary of 50*l.* per day, while the parliament sate; and 10*l.* or 15*l.* per day during the rest of the year. Wodrow, App. p. 148.

arranged among the old cavaliers and his political enemies. When he opened the next session, he demanded with his usual confidence a plentiful grant of money to aid the king in his war against the States. The young duke of Hamilton rose; but instead of expressing an obsequious assent, he called the attention of the house to the grievances of the nation: the coin had been adulterated under Hatton, the master of the mint, and Lauderdale's brother; by new regulations in the customs, the price of salt, of brandy, and of tobacco had been raised; monopolies in all these articles were enjoyed by the friends of the minister, and the administration of justice was polluted by personal interests and animosities. Other speakers followed, and all were careful to echo the sentiments of Hamilton. The commissioner was amazed and alarmed. He endeavoured to intimidate; he adjourned the session for a week; he abolished the monopolies; but he could not dissolve the combination, or satisfy the demands of his adversaries. Hamilton and Tweedale repaired to London to lay their grievances before the monarch; Kincardine was despatched to oppose them; and Charles, while he laboured to appease the discontent of one party, religiously observed his promise not to desert the other. But all his efforts to conciliate were fruitless: another prorogation took place; and, before it expired, the parliament was dissolved.*

1673. Nov. 12.

May 12. May 19.

Increase of conventicles.

In the enumeration of grievances, the principal, the persecution of the covenanters, had never been mentioned. Since the last act of supremacy, religious subjects were avoided, as forbidden ground on which it was dangerous to tread. Lauderdale, however, took it into consideration, and published an act of grace, pardoning every offence against any of the conventicle acts committed before the fourth of March, 1674. If by this concession he sought to conciliate the minds of the covenanters, he was disappointed; for they attributed his lenity to weakness, and looked on pardon for the past as an encouragement to new transgressions. From that day, the cause of these religionists made constant progress. In the north, indeed, they were but few; and in the west they might attend without impediment the service of the indulged ministers; but from the English borders to the river Tay the conventicles continued to multiply.

* Burnet, ii. 19—33. 36. Wodrow, 364. 379. Kirkton, 339—342. If the reader compare the character of Lauderdale, drawn by Burnet in the dedication of his four conferences, published at this time, with the character of the same nobleman, drawn by him in the History of his Own times, he will form no very favourable opinion of the veracity of that writer.

They were held in the vacant churches, in private houses, in the open air; on every sabbath, crowds assembled, for the purpose of worship, around a lofty pole, fixed in a glen, on a mountain, or in the midst of a morass; and the minds of the people were occupied during the week with conversation respecting the gifts and doctrine of the preachers, the dangers which they had run, the persecutions which they had suffered, and the place and time appointed for the next conventicle. A spirit of the most ardent and obstinate fanaticism animated the great mass of the population; and hostility to episcopacy was coupled with hostility to that government by which episcopacy was maintained.*

Ireland.

II. The history of Ireland during the same period furnishes but little that can interest the general reader. The English act of parliament, prohibiting the importation of Irish cattle, had reduced the agricultural classes in Ireland to the lowest distress; and Ormond, the lord-lieutenant, who was himself a principal sufferer, employed all his power and ingenuity to discover and open new sources of industry and new channels of commerce. A free trade was permitted between Ireland and all foreign countries, whether at peace or war with the king of Great Britain: the introduction of Scottish woollens was prohibited, as a measure of retaliation against the Scots, who after the example of the English parliament, had forbidden the importation of Irish cattle into Scotland; and, to encourage the manufacture of woollen and linen cloths, five hundred Walloon families, from the neighbourhood of Canterbury, and an equal number from Flanders, were induced to settle in Ireland.† But after the fall of Clarendon, it was not the intention of those who succeeded in the administration, to leave his friend Ormond at the head of the Irish government. His conduct was scrutinized and censured; charges of oppression of individuals, and mismanagement of the revenue, were brought against him; and the duke hastened to London to defend his character against the intrigues of his enemies. For almost a year his fate hung in suspense. The good-nature of Charles shrunk from the idea of unkindness towards an old and faithful servant; his love of ease could not resist the obstinate and repeated importunities of Buckingham and his colleagues.

1667.

Recal of Ormond.

1668. April 24.

* Wodrow, 366. Kirkton, 343. "At these great meetings many a soul was converted to Jesus Christ; but far more turned from the bishops to profess themselves presbyterians. The paroch churches of the curates came to be like pest-houses; few went to any of them, and none to some: so the doors were kept lockt." Ibid.

† Carte, ii. 342. 4.

1669. Feb. 14. At length a promise was wrung from the reluctant monarch; and, after a protracted struggle, he announced to Ormond his removal, but in language the most flattering and affectionate which he could devise. Sept. Lord Robartes, a man of rigid notions, and repulsive manners, was appointed to the vacant office, which he only held long enough to earn the dislike of the Irish, and to disappoint the expectations of the 1670 May. cabinet. After seven months, he was recalled, to make place for Berkeley, of Stratton, who had distinguished himself by his hostility to Clarendon, and would not, it was supposed, be unwilling to discover grounds of complaint or of impeachment against Ormond.*

Claims of the natives. Eight years had now elapsed since the act of settlement, five since the act of explanation was passed; still these measures had been but imperfectly executed, on account of the conflicting nature of the claims, and the deficiency of the fund for reprisals. Not only the thousands whom the law debarred from all relief, but many of those whom it took under protection, loudly Nov. 28. complained of injustice; and, after the arrival of the new chief governor, six peers, and forty-five gentlemen, ventured to subscribe a petition to the king, explaining their wrongs, and earnestly imploring redress. Charles compassionated the sufferings of men, most of whom had devoted themselves to his service during the time of his exile; and the ministers were ready to accede to any measure which would throw discredit on their predecessors in office. 1671. Feb. 1. Though Ormond came forward to oppose the prayer of the petitioners; though Finch, the attorney general, pronounced against their claim; a committee was appointed to review the settlement of Ireland; and, on a representation that their powers were defective, they afterwards obtained authority to send for persons, papers, and records; and to require information from all officers under the crown.

Commission of review. Feb. 4. Aug. 1.

The commissioners were, prince Rupert, the duke of Buckingham, the earls of Lauderdale and Anglesey, the lords Hollis and Ashley, secretary Trevor, and sir Thomas Chicheley. They proceeded slowly. More than a year was employed in the examination of papers and witnesses, in comparing the arguments of the petitioners with the contrary claims of the

* Carte, ii. 375. 9. 413. Pepys, iv. 101. 191. 246. "Ormond had none that took his part but his R. H., (the duke of York,) who thought it very scandalous that one, who had always been so loyal, should be prosecuted and run down by men, who had been most of them downright rebels, or little better." James, i. 435.

soldiers, adventurers, and purchasers of lands in Connaught; and in hearing the complaints brought against the duke of Ormond, and his defence of his conduct. The duration of the commission, and its renewal with more extensive powers, raised the hopes of the natives; but their opponents sought the powerful aid of the English house of commons, which had lately compelled the king to rescind the declaration of indulgence, and had passed several resolutions expressive of their hatred to popery and its professors. The cause was warmly taken up by the popular leaders; and an address was presented to the king, demanding the revocation of the commission, the maintenance of the act of settlement in Ireland, the banishment of the catholic priests from that kingdom, the expulsion of all catholic inhabitants out of Irish corporations, and the punishment of colonel Richard Talbot, who had acted as agent for the natives before the commission. Charles briefly replied, that on all these particulars it would be his care that no man should have reason to complain; and, in the course of a few days, the commission was dissolved, and the prospect of relief for ever closed to the great body of the petitioners. The king, indeed, still cherished the hope of mitigating their sufferings. He appointed a committee of the council to reconsider the subject: but no other benefit resulted from their deliberation, than the trifling addition of 2000*l.* per annum to a fund which had already been provided for the purpose of furnishing pensions to the twenty nominees in the act of explanation.*

1673. Jan. 17.

March 25.

Commission dissolved. March 26.

* Carte, ii. 427. 9. 438. C. Journ. Mar. 25, 26.

NOTE [A], Page 4.

PRINCIPLES OF THE LEVELLERS.

The following statement of the principles maintained by the levellers, is extracted from one of their publications, which appeared soon after the death of Cromwell; entitled, "The leveller; or, The Principles and Maxims concerning Government and Religion, which are asserted by those that are commonly called Levellers; 1659.

PRINCIPLES OF GOVERNMENT.

1. The government of England ought to be by laws and not by men: that is, the laws ought to judge of all offences and offenders, and all punishments and penalties to be inflicted upon criminals; nor ought the pleasure of his highness and his council to make whom they please offenders, and punish and imprison whom they please, and during pleasure.

2. All laws, levies of money, war and peace ought to be made by the people's deputies in parliament, to be chosen by them successively at certain periods. Therefore there should be no negative of a monarch, because he will frequently by that means consult his own interest or that of his family to the prejudice of the people. But it would be well, if the deputies of the people were divided into two bodies, one of which should propose the laws, and the other adopt or reject them.

3. All persons without a single exception should be subject to the law.

4. The people ought to be formed into such a military posture by and under the parliament, that they may be able to compel every man to obey the law, and defend the country from foreigners. A mercenary (standing) army is dangerous to liberty, and therefore should not be admitted.

PRINCIPLES OF RELIGION.

1. The assent of the understanding cannot be compelled. Therefore no man can compel another to be of the true religion.

2. Worship follows from the doctrines admitted by the understanding. No man therefore can bind another to adopt any particular form of worship.

3. Works of righteousness and mercy are part of the worship of God, and so far fall under the civil magistrate, that he ought to restrain men from irreligion, that is, injustice, faith-breaking, oppression, and all other evil works that are plainly evil.

4. Nothing is more destructive to true religion than quarrels about religion, and the use of punishments to compel one man to believe as another.

NOTE [B], Page 98.

EXTRACT OF A LETTER FROM CHARLES II. TO THE LORD CHANCELLOR.

"Now I am on this matter, I thinke it necessary to give you a little good councel in it, least you may thinke that by making a further stirr in the businesse, you may diverte me from my resolution, which all the world shall never do, and I wish I may be unhappy in this world and in the world to come, if I faile in the least degree of what I have resolved, which is of making my lady Castlemaine of my wive's bedchamber, and whosoever I finde use any endeavour to hinder this resolution of myne (excepte it be only to myselfe), I will be his enemy to the last moment of my life. You know how true a friend I have been to you. If you will oblige me eternally, make this businesse as easy to me as you can, of what opinion soever you are of; for I am resolved to go through with this matter, let what will come of it, which again I solemnly swear before Almighty God. Therefore, if you desire to have the countenance of my friendship, medle no more with this businesse, except it

be to beat down all false and scandalous reports, and to facilitate what I am sure my honour is so much concerned in. And whosoever I find to be my lady Castlemaine's enemy in this matter, I do promise upon my word to be his enemy as long as I live. You may shew this letter to my lord lieutenant (Ormond), and if you have both a minde to oblige me, carry yourselves like friends to me in this matter." Lansdowne MSS. 1206. 121.

NOTE [C], Pages 167 and 168.

THE SECRET TREATY OF 1670.

[The original of this important treaty is in the possession of Lord Clifford, to whose kindness I am indebted for the permission of presenting it for the first time to the eyes of the public.]

CHARLES R.

Charles, par la grace de Dieu, Roy de la Grande-Bretagne, France et Irlande, défenseur de la foy, à tous ceux qui ces présentes lettres verront, salut. Ayant leu et meurement considéré les pouvoirs du sieur Colbert, ambassadeur de nostre très-cher et très-amé frère et cousin le Roy très-chrestien dattés du 31 octobre 1669, par lesquels notre dit frère luy donne autorité de conférer avec les commissaires que nous pourrions nommer, traicter, conclurre, et signer des articles d'une plus estroitte amitié, liaison et confédération entre nous, et déclare que nulle autre alliance ne luy peut estre plus agréable, ni plus avantageuse à ses sujets, nous qui sommes dans les mesmes dispositions, et qui n'avons point de désir plus ardent que de nous lier d'une amitié parfaite et indissoluble avec nostre dt Frère, y estant convié et par la proximité du sang, l'affection et estime que nous avons pour sa personne, les avantages qui en reviendront aux peuples que Dieu a sousmis à nostre obéissance, et surtout l'appui et assistance que nous nous pouvons promettre de l'amitié et du zèle d'un si puissant allié dans le dessein que nous avons (avec la grace de Dieu) de nous réconcilier avec l'église romaine, donner par là le repos à nostre conscience, et procurer le bien de la religion catholique, sçavoir faisons qu'ayant une entière confiance en la fidélité, suffisance, zèle et prudence de nostre très féal et bien-amé le mylord Arlington, conseillier en nostre conseil privé, nostre premier secrétaire d'estat; nostre très-féal et bien-amé le mylord Arundel de Warder; nostre très-féal et bien-amé le sieur chevalier Clifford, conseillier en nostre conseil privé, thrésorier de nostre maison, et commissaire de nos finances; nostre féal et bien-amé le sieur chevalier Bellings, secrétaire des commandemens de la Reyne nostre très-chère espouse, nous avons lesdits mylords Arlington et Arundel, les sieurs chevaliers Clifford et Bellings, commis, ordonnés et députés, commettons, ordonnons et députons par ces présentes signées de nostre main, et leur avons donné et donnons plein pouvoir, autorité commission, et mandement spécial, de conférer avec ledit sieur Colbert, ambassadeur de nostre très-cher et très-amé Frère et Cousin le Roy très-chrestien, des moyens de parvenir à l'establissement d'une plus estroitte amitié, liaison et confédération entre nous, et traicter et convenir ensemble, et sur iceux conclurre, et signer tels articles et conventions que nosdits commissaires aviseront bon estre tant sur le fait du commerce, que sur toutes autres sortes d'affaires et d'intérests, et mesme de ligues offensives et deffensives, et généralement faire, négocier, promettre, accorder et signer tout ce qu'ils estimeront nécessaire pour les effets cy-dessus dits: Promettant foy et parolle de Roy, sous l'obligation et hypothéque de tous nos biens présens et à venir, de tenir ferme et stable, et d'accomplir sans jamais y contrevenir ni permettre qu'il y soit contrevenu, tout ce qui par nos dits commissaires aura esté stipulé, promis et accordé en vertu du présent pouvoir, et d'en faire expédier nos lettres de ratification en bonne forme, et les fournir dans le temps qu'il nous y auront obligez en tesmoing de quoy nous avons fait mettre auxdites présentes le scel de nostre secret. Donné à Whitehall le quinziesme de décembre, l'an mil six cens soixante et neuf, et de nostre règne le vingt et uniesme.

Par commandement de Sa Majesté,

ARLINGTON.

Au nom de Dieu tout puissant, soit notoire à tous et un chacun, que comme ainsi soit que le Sérénissime et très-puissant prince Charles second, par la grace de Dieu roy de la Grande-Bretagne, et le sérénissime, et tres-puissant prince Louis quatorziesme, par la mesme grace de Dieu roy très-chrestien auroient toujours donné tous leurs soins et toute leur application à procurer à leurs sujets une félicité parfaite, et que leur propre expérience leur auroit assés fait connoistre que ce bonheur commun ne se peut rencontrer que dans une trés estroitte union, alliance, et confédération entre leurs personnes et les pays et estats qui leur sont soumis, à quoy s'estant trouvés esgallement portés, tant par la sincere amitié et affection que la proximité du sang, celle de leurs royaumes, et beaucoup d'autres convenances ont estably entre eux, et qu'ils ont conservé chèrement au plus fort des desmêlés que les intérests d'autruy leur ont fais avoir ensemble ; que par le désir qu'ils ont de pourvoir à la seureté de leurs dits pays et estats, comme aussy au bien et à la commodité de leurs sujets dont le commerce doit recevoir dans la suite du temps de notables avantages de cette bonne correspondance et liaison d'intérests ; lesdits seigneurs Roys pour exécuter ce saint et louable désir, et pour toujours fortifier, confirmer, et entretenir la bonne amitié et intelligence qui est à présent entre eux, ont commis et député chacun de sa part, sçavoir ledit seigneur roy de la Grande-Bretagne, le mylord Arlington, conseillier au conseil privé de Sa Majesté et son premier secrétaire d'estat ; le mylord Arundel de Warder ; le sieur chevalier Clifford, conseillier au conseil privé de Sa Majesté, thrésorier de sa maison, et commissaire de ses finances ; le sieur chevalier Bellings, secrétaire des commandemens de la Reyne de la Grande-Bretagne, et ledit seigneur Roy très-chrestien, le sieur Charles Colbert, seigneur de Croissy, conseillier ordinaire de Sa Majesté en son conseil d'estat, et son ambassadeur ordinaire vers Sa Majesté de la Grande-Bretagne, suffisamment autorisés ainsy qu'il apparoistra par la teneur desdits pouvoirs et commissions à eux respectivement donnés par lesdits seigneurs Roys et insérés de mot à mot à la fin de ce présent traicté, en vertu desquels pouvoirs ils ont accordé aux noms des susdits seigneurs Roys les articles qui ensuivent.

1. Il est convenu, arresté et conclu qu'il y aura á toute perpétuité bonne, seure et ferme paix, union, vraye confraternité, confédération, amitié, alliance, et bonne correspondance entre ledit seigneur Roy de la Grande-Bretagne, ses hoirs, et successeurs d'une part, et ledit seigneur Roy très-chrestien de l'autre, et entre tous et chacun de leurs royaumes, estats et territoires, comme aussy entre leurs sujets et vassaux, qu'ils ont ou possèdent à présent, ou pourront avoir, tenir, et posséder cy-après, tant par mer et autres eaux que par terre : et pour tesmoigner que cette paix doit estre inviolable sans que rien au monde la puisse à jamais troubler, il s'ensuit des articles d'une confiance si grande, et d'ailleurs si avantageuse auxdits seigneurs Roys, qu'à peine trouvera-t-on que dans aucun siècle on en ait arresté et conclu de plus importans.

2. Le seigneur Roy de la Grande-Bretagne estant convaincu de la vérité de la religion catholique, et résolu d'en faire sa déclaration, et de se réconcilier avec l'Église romaine aussy tost que le bien des affaires de son royaume luy pourra permettre, a tout sujet d'espérer et de se promettre de l'affection et de la fidélité de ses sujets qu'aucun d'eux, mesme de ceux sur qui Dieu n'aura pas encore assés abondamment respandu ses graces pour les disposer par cet exemple si auguste à se convertir, ne manqueront jamais à l'obéissance inviolable que tous les peuples doivent à leurs souverains mesme de religion contraire ; néantmoins comme il se trouve quelques fois des esprits brouillons et inquiets qui s'efforcent de troubler la tranquillité publique principalement lorsqu'ils peuvent couvrir leurs mauvais desseins du prétexte plausible de religion, Sa Majesté de la Grande-Bretagne, qui n'a rien plus à cœur (après le repos de sa conscience) que d'affermir celuy que la douceur de son gouvernement a procuré à ses sujets, a cru que le meilleur moyen d'empêcher qu'il ne fust altéré, seroit d'estre asseuré en cas de besoin de l'assistance de Sa Majesté très-chrestienne, laquelle voulant en cette occasion donner au seigneur Roy de la Grande-Bretagne des preuves indubitables de la sincérité de son amitié et contribuer au bon succès d'un dessein si glorieux, si utile à Sa Majesté de la Grande-Bretagne, mesme à toute la religion catholique, a promis et promet de donner pour cet effet audit seigneur Roy de la Grande-

Bretagne la somme de deux millions de livres tournois dont la moitié sera payée trois mois après l'eschange des ratifications du présent traicté en espèces, à l'ordre dudit seigneur Roy de la Grande-Bretagne, à Calais, Dieppe, ou bien au Havre-de-Grace, ou remis par lettres de change à Londres aux risques, périls et frais dudit seigneur Roy très-chrestien, et l'autre moitié de la mesme manière dans trois mois après : et en outre ledit seigneur Roy très-chrestien s'oblige d'assister de troupes Sa Majesté de la Grande-Bretagne, jusqu'au nombre de six mille hommes de pied s'il est besoin, et mesme de les lever et entretenir à ses propres frais et despens, tant que ledit seigneur Roy de la Grande-Bretagne jugera en avoir besoin pour l'exécution de son dessein : et lesdites troupes seront transportées par les vaisseaux du Roy de la Grande-Bretagne en tels lieux et ports qu'il jugera le plus à propos pour le bien de son service, et du jour de leur embarquement seront payées, ainsy qu'il est dit, par Sa Majesté très-chrestienne, et obéiront aux ordres dudit seigneur Roy de la Grande-Bretagne, et le temps de ladite déclaration de catholicité est entièrement remis au choix dudit seigneur Roy de la Grande-Bretagne.

3. Item a esté convenu entre le Roy très-chrestien et Sa Majesté de la Grande-Bretagne que ledit seigneur Roy très-chrestien ne rompra ni n'enfreindra jamais la paix qu'il a faite avec l'Espagne, et ne contreviendra en chose quelconque à ce qu'il a promis par le traicté d'Aix-la-Chapelle, et par conséquent il sera permis au Roy de la Grande-Bretagne de maintenir ledit traicté conformément aux conditions de la triple alliance, et des engagemens qui en dépendent.

4. Il est aussy convenu et accordé que s'il écheoit cy-après au Roy très-chrestien de nouveaux tiltres et droits sur la monarchie d'Espagne, ledit seigneur Roy de la Grande-Bretagne assistera Sa Majesté très-chrestienne de toutes ses forces tant par mer que par terre, pour luy faciliter l'acquisition desdits droits, le tout suivant les conditions particulières dont lesdits seigneurs Roys se réservent de convenir tant pour la jonction de leurs forces après que le cas de l'eschéance desdits tiltres et droits sera arrivé pour les avantages que ledit seigneur Roy pourra raisonnablement désirer : et lesdits seigneurs Roys s'obligent réciproquement dés à présent de ne faire aucun traicté de part ni d'autre pour raisons desdits nouveaux droits et tiltres avec aucun prince ou potentat quel que ce puisse estre que de concert et du consentement de l'un et de l'autre.

5. Lesdits seigneurs Roys ayant chacun en son particulier beaucoup plus de sujets qu'ils n'en auroient besoin pour justifier dans le monde la résolution qu'ils ont prise de mortifier l'orgueil des estats généraux des provinces unies des Pays-Bas, et d'abbattre la puissance d'une nation qui s'est si souvent noircie d'une extrême ingratitude envers ses propres fondateurs et créateurs de cette république, et laquelle mesme a l'audace de se vouloir aujourd'huy ériger en souverain arbitre et juge de tous les autres potentats, il est convenu, arresté et conclu, que Leurs Majestés déclareront et feront la guerre conjointement avec toutes leurs forces de terre et de mer auxdits estats généraux des provinces unies des Pays-Bas, et qu'aucun desdits seigneurs Roys ne pourra faire de traicté de paix, de trèves, ou de suspension d'armes avec eux, sans l'avis et le consentement de l'autre, comme aussy que tout commerce entre les sujets desdits seigneurs Roys et ceux desdits estats sera défendu, et que les navires et biens de ceux qui trafiqueront nonobstant cette défense pourront estre saisis par les sujets de l'autre seigneur Roy, et seront réputés de juste prise ; et tous traictés précédens faits entre lesdits estats et aucun desdits seigneurs Roys ou leurs prédécesseurs demeureront nuls, excepté celuy de la triple alliance fait pour la manutention du traicté d'Aix-la-Chapelle ; et si, après la déclaration de la guerre, on prend prisonniers les sujets d'aucun desdits seigneurs Roys qui seront enrollés au service desdits estats, ou s'y trouveront actuellement, ils seront exécutés à mort par la justice dudit seigneur Roy dont les sujets les auront pris.

6. Et pour faire et conduire cette guerre aussy heureusement que lesdits seigneurs Roys espèrent de la justice de la cause commune, il est aussy convenu que Sa Majesté très-chrestienne se chargera de toute la despense qu'il conviendra faire pour mettre sur pied, entretenir, et faire agir les armées nécessaires pour attaquer puissamment par terre les places et pays desdits

estats, ledit seigneur Roy de la Grande-Bretagne s'obligeant seulement de faire passer dans l'armée dudit seigneur Roy très-chrestien, et d'y entretenir tousjours à ses despens un corps de six mille hommes de pied, dont le commandant sera général, et obéira à Sa Majesté très-chrestienne, et à celuy qui commandera en chef l'armée où ledit corps de troupes servira comme auxiliaire, lequel sera composé de six régimens de dix compagnies chacun, et de cent hommes chaque compagnie : et lesdites troupes seront transportées et débarquées en tels ports ou havres et en tel temps qu'il sera concerté cy-après entre lesdits seigneurs Roys; en sorte néantmoins qu'elles puissent arriver aux costes de Picardie, ou tel autre lieu qui sera concerté, au plus tard, un mois après que les flottes se seront jointes aux environs de Portsmouth, ainsy qu'il sera dit cy-après.

7. Et pour ce qui regarde la guerre de mer, ledit seigneur Roy de la Grande-Bretagne se chargera de ce fardeau, et armera au moins cinquante gros vaisseaux, et dix bruslots, auxquels ledit seigneur Roy très-chrestien s'obligera de joindre une escadre de trente bons vaisseaux françois, dont le moindre portera quarante pièces de canon, et un nombre de bruslots suffisant jusques à dix, mesme s'il est nécessaire à proportion de ce qu'il y en devra avoir en la flotte; laquelle escadre de vaisseaux auxiliaires françois continuera à servir durant le temps de ladite guerre aux frais et despens de Sa Majesté très-chrestienne; et en cas de perte d'hommes et de vaisseaux, ils seront remplacés le plus tost qu'il se pourra par Sa Majesté très-chrestienne; et ladite escadre sera commandée par un vice-admiral ou lieutenant-général françois qui obéira aux ordres de Son Altesse Royale Monseigneur le duc de York en vertu des pouvoirs que lesdits seigneurs Roys donneront audit seigneur duc, chacun pour les vaisseaux qui luy appartiennent; et pourra ledit seigneur duc attaquer et combattre les vaisseaux hollandois, et faire tout ce qu'il jugera le plus à propos pour le bien de la cause commune, jouyra aussy de l'honneur du pavillon, des saluts, et de toutes les autres autorités, prérogatives et prééminences dont les admiraux ont coutume de jouir; et d'autre part aussy ledit vice-admiral ou lieutenant-général françois aura pour sa personne la préséance dans les conseils, et pour son vaisseau et pavillon de vice-admiral celle de la marche sur le vice-admiral et vaisseau de ce nom anglois. Au surplus les capitaines, commandans, officiers, matelots et soldats de l'une et de l'autre nation se comporteront entre eux amicablement, suivant le concert qui sera fait cy-après, pour empêcher qu'il n'y arrive aucun incident qui puisse altérer la bonne union; et afin que ledit seigneur Roy de la Grande-Bretagne puisse plus facilement supporter les frais de cette guerre, Sa Majesté très-chrestienne s'oblige à payer tous les ans audit Roy tant que ladite guerre durera, en la manière susdite, la somme de trois millions de livres tournois dont le premier payement, qui sera de sept cens cinquante mille livres tournois, se fera trois mois avant la déclaration de la guerre; le second, de pareille somme, dans le temps de ladite déclaration, et le reste, montant à quinze cens mille livres tournois, six mois après ladite déclaration : et ès années suivantes le premier payement, qui sera de sept cens cinquante mille livres tournois, se fera au premier de Febvrier; le second, de pareille somme, au premier de May, et le troisième, montant à quinze cens mille livres tournois, au quinziesme d'Octobre, lesquelles sommes seront payées en espèces, à l'ordre du Roy de la Grande-Bretagne, à Calais, Dieppe, ou Havre-de-Grace, ou bien remises par lettres de change à Londres, aux risques, périls, et frais dudit seigneur Roy très-chrestien. Il a esté aussy convenu et arresté que ledit seigneur Roy de la Grande-Bretagne ne sera pas obligé de déclarer cette guerre, jusqu'à ce que l'escadre auxiliaire desdits trente vaisseaux de guerre françois et dix bruslots joints avec la flotte angloise aux environs de Portsmouth : et de toutes les conquestes qui se feront sur les estats généraux, Sa Majesté de la Grande-Bretagne se contentera des places qui s'ensuivent; sçavoir l'isle de Walkeren, l'Escluse avec l'isle de Cassants; et la manière d'attaquer et de continuer la guerre sera ajustée par un réglement qui sera cy-après concerté, et d'autant que la dissolution du gouvernement des estats généraux pourroit apporter quelque préjudice au Prince d'Orange, neveu du Roy de la Grande-Bretagne, et mesme qu'il se trouve des places, villes et gouvernemens qui luy appartiennent dans le partage qu'on se propose de faire du pays, il a

esté arresté et conclu que lesdits seigneurs Roys feront leur possible à ce que ledit Prince trouve ses avantages dans la continuation et fin de cette guerre : ainsy qu'il sera cy-après stipulé dans des articles à part.

8. Item a esté arresté qu'avant la déclaration de cette guerre lesdits seigneurs Roys feront tous leurs efforts conjointement ou en particulier, selon que l'occasion le pourra requérir, pour persuader aux Roys de Suède et de Dannemarck ou à l'un d'eux d'entrer en cette guerre contre les estats généraux, au moins de les obliger de se tenir neutres, et l'on taschera de mesme d'attirer dans ce party les électeurs de Cologne et de Brandebourg, la maison de Brunswick, le duc de Neubourg et l'evesque de Munster. Lesdits seigneurs Roys feront aussy leur possible pour persuader mesme à l'empereur et la couronne d'Espagne de ne s'opposer pas à la conqueste dudit pays.

9. Il est pareillement convenu et accordé qu'après que ledit seigneur Roy de la Grande-Bretagne aura fait la déclaration spécifiée au second article de ce traicté, qu'on espère moyennant la grace de Dieu devoir estre suivie d'un heureux succès, il sera entièrement au pouvoir et au choix dudit seigneur Roy très-chrestien de déterminer le temps auquel lesdits seigneurs Roys devront faire la guerre avec leurs forces unies contre les estats généraux : Sa Majesté de la Grande-Bretagne promettant d'en faire aussy sa déclaration conjointement dans le temps que Sa Majesté très-chrestienne jugera estre le plus propre pour cet effect, ledit seigneur Roy de la Grande-Bretagne estant asseuré que Sa Majesté très-chrestienne nommant ledit temps aura esgard aux intérests des deux couronnes, qui, après la conclusion de ce traicté, seront communs à tous deux et inséparables.

10. Si, dans aucun traicté précédent fait par l'un ou l'autre desdits seigneurs Roys avec quelque Prince ou estats que ce soit, il se trouve des clauses contraires à celles qui sont spécifiées dans cette ligue, lesdites clauses seront nulles, et celles qui sont contenues dans ce présent traicté demeureront dans leur force et vigueur.

Et pour d'autant plus unir les esprits et intérests des sujets desdits seigneurs Roys, il a esté convenu que le traicté de commerce qui se fait à présent, s'achevera au plus tost qu'il se pourra.

Lesquels points et articles cy-dessus énoncés ensemble, et tout le contenu en chacun d'iceux ont esté traictés, accordés, passés et stipulés entre le mylord Arlington, le mylord Arundel de Warder, le sieur chevalier Clifford, et le sieur chevalier Bellings, commissaires de Sa Majesté de la Grande-Bretagne, et le sieur Colbert, ambassadeur de Sa Majesté très-chrestienne, aux noms desdits seigneurs Roys, et en vertu de leurs pouvoirs, dont les copies sont insérées au bas du présent traicté. Ils ont promis et promettent sous l'obligation de tous et chacun des biens et estats présens et à venir desdits seigneurs Roys qu'ils seront par Leurs Majestés inviolablement observés et accomplis, et de s'en bailler et délivrer réciproquement dans un mois du jour et datte de présentes, et plus tost, si faire se peut, les lettres de ratification desdits seigneurs Roys en la meilleure forme que faire se pourra : et d'autant qu'il est absolument nécessaire pour le bon succès de ce qui est stipulé par le présent traicté, de le tenir fort secret, jusqu'à ce qu'il soit temps de la mettre à exécution, lesdits sieurs commissaires et ambassadeur sont demeurés d'accord, qu'il suffira pour la validité dudit traicté que les ratifications desdits seigneurs Roys soient signées de leurs propres mains, et cachetées du sceau de leur secret, que lesdits seigneurs Roys déclareront dans lesdites lettres de ratification avoir pour cet effect la mesme force que si leur grand sceau y estoit apposé, ce que mesme chacun d'eux s'obligera de faire aussy tost qu'il le pourra, et qu'il en sera requis. En foy de quoy lesdits sieurs commissaires et ambassadeur ont signé le présent traicté et à iceluy fait apposer le cachet de leurs armes. A Douvres, ce vingt et deuxiesme jour du mois de may, l'an de grace mil six cens soixante et dix.

⊙ Arlington. COLBERT. ⊙
⊙ T. Arundell.
⊙ T. Clifford.
⊙ R. Bellings.

There follow three additional secret articles signed at Dover the same day. By the first, if Charles could not spare six thousand men, Louis was to be content with four:—by the second, if the duke of York were to retire from the command of the fleet, the English admiral was to enjoy all the command and powers which the duke ought to possess:—and, by the third it was agreed, that the stipulation in favour of the prince of Orange should not prevent the other powers from making war conjointly at the time stipulated by the 9th article.

In another paper is a declaration that, if in the treaty or the power of the negotiators, il se trouve quelque chose dans les tiltres et qualités des Roys nos maistres, qui soit contraire à la pluralité des traictés qui ont été faits entre l'Angleterre et la France, tant sous le regne du feu Roy d'Angleterre Charles Ier, que sous celuy de Roy régnant à présent, nous le réformerons avant l'eschange des ratifications dudit traicté, et sans retardement d'icelles.

NOTE [D], Page 168.

On the death of Henrietta, duchess of Orleans, Louis wrote the following Letter of condolence to Charles:—

Versailles, le 30 juin 1670.

Monsieur mon Frère,

La tendre amitié que j'avois pour ma sœur vous étoit assez connue pour n'avoir pas de peine à comprendre l'état où m'a réduit sa mort. Dans cet accablement de douleur je puis dire que la part que je prends à la vôtre, pour la perte d'une personne qui vous étoit si chère aussi-bien qu'à moi, est encore un surcroît à l'excès de mon affliction: le seul soulagement dont je suis capable, est la confiance qui me reste, que cet accident ne changera rien à nos affections, et que vous me conserverez les vôtres aussi entières, que je vous conserverai les miennes. Je me remets du surplus au sieur Colbert, mon ambassadeur.

NOTE [E], Page 202.

The letters patent by which Louis XIV. grants the domaine of Aubigni to mademoiselle de Querouaille, and after her to one of the illegitimate sons of Charles II., to be named by that prince.

Louis, par la grace de Dieu, Roi de France et de Navarre, à tous présens et à venir, salut. La terre d'Aubigni-sur-Nière, dans notre province de Berri, ayant été donnée dès l'année 1422, par le Roi Charles VII, l'un de nos prédécesseurs, à Jean Stuart, comme une marque des grands considérables services qu'il avoit rendus dans la guerre à ce Roi et sa couronne, et cette donation ayant éte accompagnée de condition que ladite terre d'Aubigni passeroit de mâle en mâle à tous les descendans dudit Jean Stuart, avec reversion à notre couronne, lorsque la branche masculine qui seroit venue de lui seroit éteinte; ce cas porté par lesdites lettres de donation est arrivé l'année dernière, par la mort de notre cousin le duc de Richemont, dernier de la ligne masculine dudit Jean Stuart. Mais parce que cette terre ayant été, durant tant d'années, dans une maison qui avoit l'honneur d'appartenir de si près à notre très-cher et très-aimé frère le Roi de la Grande-Bretagne, ledit Roi nous auroit fait témoigner qu'il seroit bien aise qu'à cette considération nous voulussions bien la faire passer à une personne qu'il affectionneroit, et rentrer après elle dans une maison qui fût encore unie par le sang à la sienne; qu'à ce sujet il nous auroit fait requérir que nous voulussions bien accorder nos lettres de donation de ladite terre d'Aubigni-sur-Nière à la dame.... de Kerouel, duchesse de Portsmouth, pour passer après sa mort à tel des enfans naturels de notre frère le Roi de la Grande-Bretagne qu'il voudra nommer, sous les mêmes clauses et conditions que la même terre fut premièrement donnée par le Roi Charles VII en 1422 au susdit Jean Stuart, et que ladite terre étant passée à tel fils naturel dudit Roi de la Grande-Bretagne qu'il aura voulu nommer, elle demeure audit fils naturel, et

à ses descendans de mâle en mâle, avec droit de reversion à notre couronne, au défaut d'enfans mâles et par l'extinction de la ligne masculine qui seroit sortie de lui. Comme nous embrassons avec plaisir les occasions qui se présentent de donner à notredit frère le Roi de la Grande-Bretagne des marques de notre amitié et de l'extrême considération que nous avons pour ce qu'il désire, et que nous avons aussi bien agréable qu'une terre qui étoit demeurée durant tant d'années dans une maison si illustre retourne en quelque sorte à son origine, en passant un jour entre les mains d'un fils naturel de notredit frère, nous avons bien voulu disposer de ladite terre d'Aubigni en la manière que nous avons été requis par notre susdit frère le Roi de la Grande-Bretagne.

A ces causes, savoir faisons que de notre grace spéciale, pleine puissance et autorité royale, nous avons, à ladite dame..... de Kerouel, duchesse de Portsmouth, et après elle à celui des fils naturels de notredit frère le Roi de la Grande-Bretagne qu'il nommera, et aux descendans mâles en ligne directe dudit fils naturel, donné, cédé, transporté, et délaissé, donnons, cédons, transportons et délaissons, par ces présentes signées de notre main, le fonds et propriété de la terre d'Aubigni, avec tous et un chacun ses droits appartenances et dépendances, pour en jouir et user par ladite duchesse, et après son décès celui des fils naturels dudit Roi de la Grande-Bretagne qu'il nommera, et les descendans mâles en droite ligne dudit fils naturel, comme de leur propre chose et loyal acquêt, tout ainsi que nous ferions, sans aucune chose en retenir et réserver à nous et à nos successeurs rois, que les foi et hommage, ressort et souveraineté, à condition toutefois que ladite terre d'Aubigni, avec ses appartenances et dépendances, retournera à notre domaine au défaut des mâles descendans en droite ligne du fils naturel qui aura été nommé par le susdit Roi de la Grande-Bretagne.

Si donnons en mandement à nos amés et féaux les gens tenant notre cour de Parlement de Chambre de nos comptes à Paris, que ces présentes lettres de don ils les aient à enregistrer, et du contenu en icelles faire jouir et user pleinement, paisiblement et à toujours ladite dame.... de Kerouel, duchesse de Portsmouth, et après elle le fils naturel que ledit Roi de la Grande-Bretagne nommera, et les descendans mâles en droite ligne dudit fils naturel, cessant et faisant cesser tous troubles et empêchemens à ce contraires.

Car tel est notre plaisir: et afin que ce soit chose ferme et stable à toujours, nous avons fait mettre notre sceau à cesdites présentes, sauf en autre chose notre droit et l'autrui en toutes.

Donné à Saint-Germain-en-Laye, au mois de décembre l'an de grace 1673, et de notre règne le trente-unième.

[This note and the preceding are extracts from les OEuvres de Louis XIV.]

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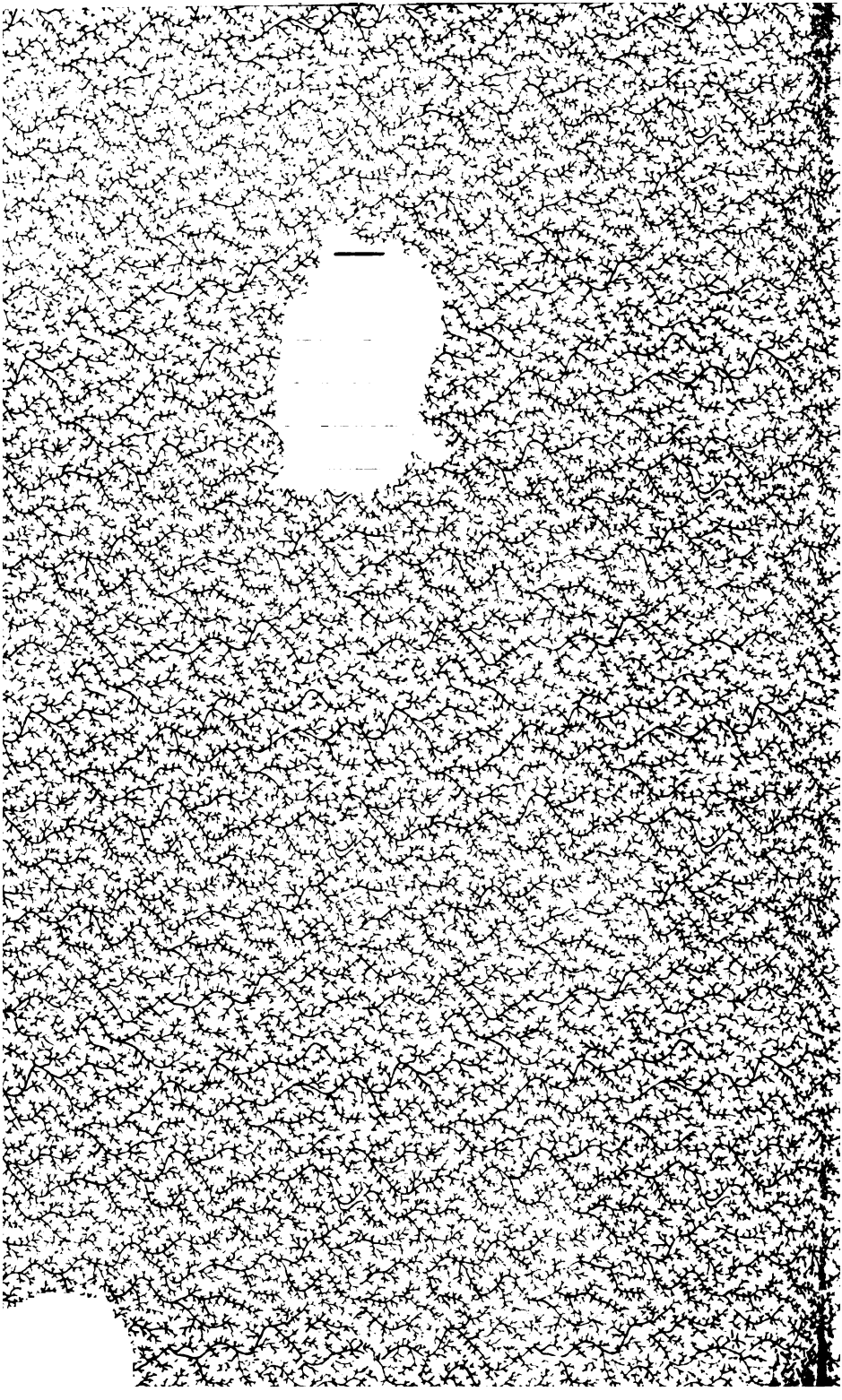
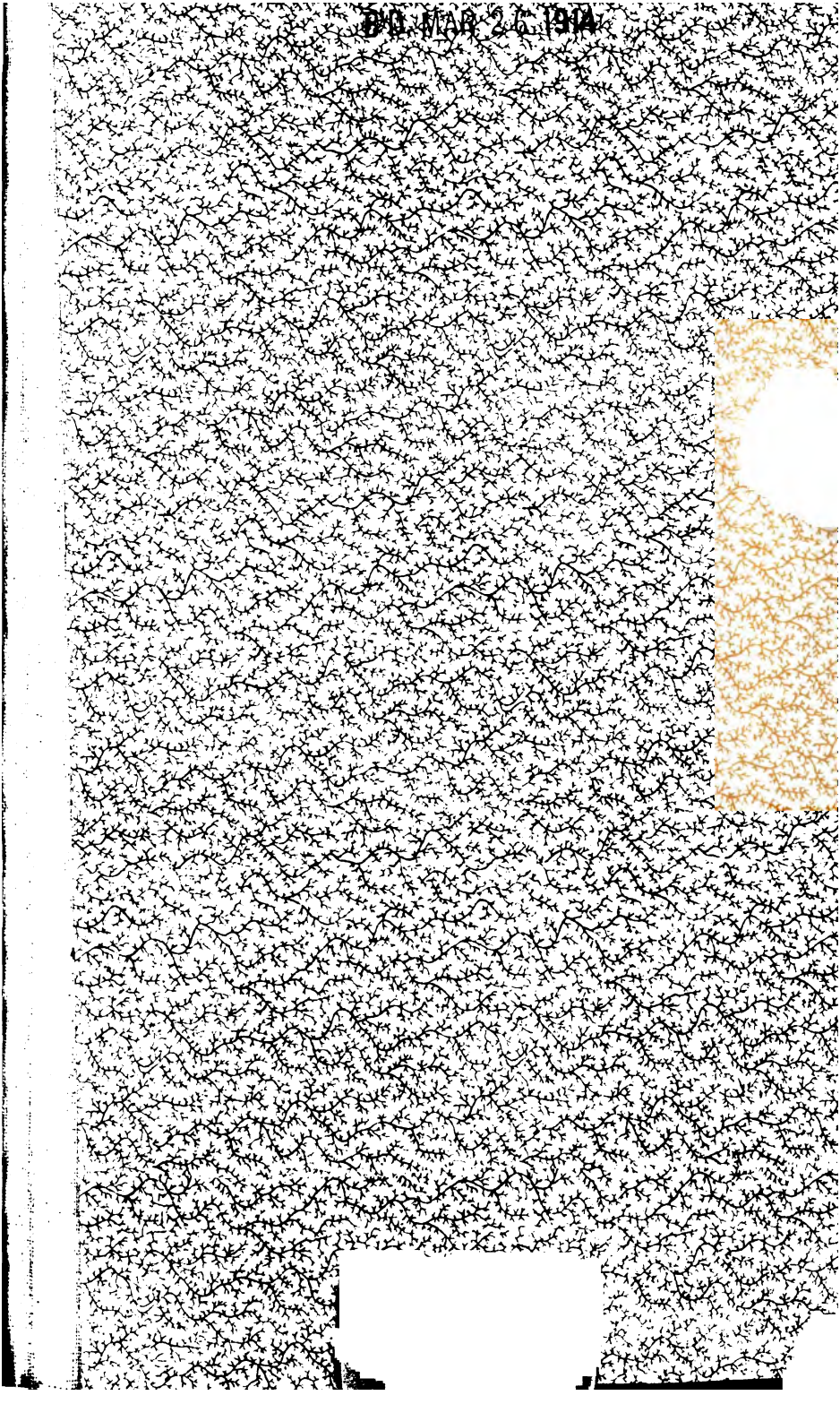
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